

Clarence V. McMahan to be postmaster at Waco, Tex., in place of C. V. McMahan. Incumbent's commission expires April 28, 1928.

Homer H. Turner to be postmaster at Rockdale, Tex., in place of E. I. Wade, deceased.

Alice Pipes to be postmaster at White Deer, Tex., in place of Harry Wheeler, resigned.

UTAH

Edward J. Young, jr., to be postmaster at Vernal, Utah, in place of E. J. Young, jr. Incumbent's commission expired April 15, 1928.

VIRGINIA

Elroy Shelor to be postmaster at Meadows of Dan, Va., in place of Elroy Shelor. Incumbent's commission expired February 8, 1928.

Hansbrough Hannah to be postmaster at Natural Bridge, Va. Office became presidential July 1, 1927.

Richard F. Hicks to be postmaster at Schuyler, Va., in place of A. E. Coppe, resigned.

WISCONSIN

George L. Harrington to be postmaster at Elkhorn, Wis., in place of S. C. Goff. Incumbent's commission expired January 7, 1928.

CONFIRMATIONS

Executive nominations confirmed by the Senate April 24 (legislative day of April 20), 1928

SURVEYOR OF CUSTOMS

John H. Cunningham to be surveyor of customs, district No. 13, Baltimore, Md.

POSTMASTERS

CALIFORNIA

Curtis C. Maltman, El Monte.
Harry H. Chapman, Hornbrook.
Mary S. Rutherford, Truckee.

COLORADO

Charles E. Baer, Steamboat Springs.

KANSAS

Anna Smith, Moundridge.

MASSACHUSETTS

John R. Walsh, Topsfield.

MISSISSIPPI

James C. Ellis, Bucatunna.

MISSOURI

Henry P. Hughes, Everton.

NEBRASKA

Charles McCray, Merriman.

WISCONSIN

Ernest P. G. Schlerf, Oshkosh.

HOUSE OF REPRESENTATIVES

TUESDAY, April 24, 1928

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Holy Spirit, faithful guide, in the quiet of these moments may our relationship be solemnized. The language of our breath is "Holy, holy, holy!" Forbid that we should ever take Thy name in vain, the only name in heaven and earth. Clothe us with the garment of strength without the sense of toil and with the spirit of service without the sense of hardship. Dwell in all our hearts, so there shall be a union of might and weakness, of day and night, and then our human frailties shall be blessed with power divine. Lift up our whole country and strengthen it in peace and concord. O sun of righteousness, arise with healing in Thy beams, for there are so many waiting for Thy touch. When the day closes, turn weariness into relaxation and give the blessing of rest. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Craven, its principal clerk, announced that the Senate disagrees to the amendment of the House of Representatives to the bill (S. 1648) entitled "An act for the relief of Oliver C. Macey and Marguerite Macey," requests a conference with the House on the disagreeing

votes of the two Houses thereon, and appoints Mr. HOWELL, Mr. NYE, and Mr. BAYARD to be the conferees on the part of the Senate.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 3808. An act to authorize the construction of a temporary railroad bridge across Bogue Chitto River at or near a point in township 5 south, range 13 east, St. Helena meridian, St. Tammany Parish, La.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was presented to the House of Representatives by Mr. Latta, one of his secretaries, who also announced that on the following dates the President approved and signed bills and a joint resolution of the House of the following titles:

On April 11, 1928:

H. R. 328. An act to relieve the Territory of Alaska from the necessity of filing bonds or security in legal proceedings in which such Territory is interested;

H. R. 343. An act to amend section 128, subdivision (b), paragraph 1, of the Judicial Code as amended February 13, 1925, relating to appeals from district courts;

H. R. 359. An act authorizing the presentation of the iron gates in West Executive Avenue between the grounds of the State, War, and Navy Building and the White House to the Ohio State Archaeological and Historical Society for the memorial gateways into the Spiegel Grove State Park;

H. R. 5075. An act for the relief of W. J. Bryson;

H. R. 5923. An act for the relief of the Sanitarium Co., of Portland, Oreg.;

H. R. 6993. An act authorizing the Secretary of the Interior to sell and patent certain lands in Louisiana and Mississippi;

H. R. 7463. An act amending an act entitled "An act authorizing the Chippewa Indians of Minnesota to submit claims to the Court of Claims";

H. R. 8725. An act to amend section 224 of the Judicial Code; and

H. R. 10483. An act to revise the boundary of a portion of the Hawaii National Park on the island of Hawaii in the Territory of Hawaii.

On April 12, 1928:

H. R. 333. An act authorizing the sale of certain lands near Seward, Alaska, for use in connection with the Jesse Lee Home;

H. R. 465. An act to authorize the city of Oklahoma City, Okla., to sell certain public squares situated therein;

H. R. 1997. An act for the relief of Clifford J. Turner;

H. R. 4125. An act for the relief of Holger M. Trandum; and

H. R. 11579. An act relating to investigation of new uses of cotton;

On April 13, 1928:

H. R. 3315. An act for the relief of Charles A. Black, alias Angus Black;

H. R. 5545. An act granting certain lands to the State of California;

H. R. 8499. An act for the relief of Arthur C. Lueder;

H. R. 9118. An act for the relief of William C. Braasch; and

H. R. 10563. An act extending the provisions of the recreational act of June 14, 1926 (44 Stat. L. 741), to former Oregon & California Railroad and Coos Bay Wagon Road grant lands in the State of Oregon.

On April 16, 1928:

H. R. 405. An act providing for horticultural experiment and demonstration work in the southern Great Plains area;

H. R. 5590. An act to authorize appropriations for construction of culverts and trestles in connection with the camp railroad at Camp McClellan, Ala.;

H. R. 5817. An act to provide for the paving of the Government road extending from St. Elmo, Tenn., to Rossville, Ga.; and

H. R. 9829. An act to extend the provisions of the act of Congress approved March 20, 1922, entitled "An act to consolidate national forest lands."

On April 18, 1928:

H. R. 10884. An act to amend the act entitled "An act to carry into effect provisions of the convention between the United States and Great Britain to regulate the level of Lake of the Woods, concluded on the 24th day of February, 1925," approved May 22, 1926.

On April 19, 1928:

H. R. 4702. An act for the relief of Benjamin S. McHenry, alias Henry Benjamin;

H. R. 7191. An act to authorize the Secretary of Commerce to convey certain land in Cook County, Ill., to the Chicago & West-

ern Indiana Railroad Co., its successors or assigns, under certain conditions;

H. R. 7908. An act to authorize the granting of leave to veterans of the Spanish-American War to attend the annual convention of the United Spanish War Veterans and auxiliary in Habana, Cuba, in 1928; and

H. R. 10540. An act to credit retired commissioned officers of the Coast Guard with active duty during the World War performed since retirement.

On April 20, 1928:

H. R. 3510. An act to authorize the President, by and with the advice and consent of the Senate, to appoint Capt. George E. Kraul a captain of Infantry, with rank from July 1, 1920;

H. R. 5687. An act authorizing and directing the Secretary of the Interior to sell certain public lands to the Cabazon Water Co., issue patent therefor, and for other purposes;

H. R. 5721. An act authorizing J. C. Norris, as mayor of the city of Augusta, Ky., his successors and assigns, to construct, maintain, and operate a bridge across the Ohio River at Augusta, Ky.;

H. R. 6360. An act for the relief of Edward S. Lathrop;

H. R. 8650. An act for the relief of C. S. Winans;

H. R. 10564. An act to authorize the Secretary of War to grant and convey to the county of Warren a perpetual easement for public highway purposes over and upon a portion of the Vicksburg National Military Park, in the State of Mississippi;

H. R. 10932. An act for the relief of the widows of certain Foreign Service officers; and

H. J. Res. 118. Joint resolution authorizing the Secretary of War to award a duplicate Congressional Medal of Honor to Lieut. Col. William J. Sperry.

On April 21, 1928:

H. R. 242. An act to amend section 90 of the national defense act, as amended, so as to authorize employment of additional civilian caretakers for National Guard organizations, under certain circumstances, in lieu of enlisted caretakers heretofore authorized;

H. R. 350. An act to extend the time for completing the construction of a bridge across the Delaware River near Trenton, N. J.;

H. R. 475. An act to permit taxation of lands of homestead and desert-land entrymen under the reclamation act;

H. R. 1530. An act for the relief of William F. Wheeler;

H. R. 1970. An act for the relief of Dennis W. Scott;

H. R. 2294. An act for the relief George H. Gilbert;

H. R. 6431. An act for the relief of Lewis H. Easterly;

H. R. 7011. An act to detach Okfuskee County from the northern judicial district of the State of Oklahoma and attach the same to the eastern judicial district of said State;

H. R. 8309. An act to amend an act entitled "An act to prohibit the unauthorized wearing, manufacture, or sale of medals and badges awarded by the War Department," approved February 24, 1923;

H. R. 8915. An act to provide for the detention of fugitives apprehended in the District of Columbia;

H. R. 8983. An act for the relief of William G. Beaty, deceased;

H. R. 9365. An act to legalize a bridge across the St. Francis River at Marked Tree, in the county of Poinsett, Ark.;

H. R. 9483. An act to provide for the acquisition of rights of way through the lands of the Pueblo Indians of New Mexico; and

H. R. 9830. An act authorizing the Great Falls Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Potomac River at or near the Great Falls.

On April 23, 1928:

H. R. 431. An act to authorize the payment of certain taxes to Okanogan County, in the State of Washington, and for other purposes;

H. R. 852. An act authorizing the issuance of a certain patent;

H. R. 1588. An act for the relief of Louis H. Harmon;

H. R. 6990. An act to authorize appropriations for construction of the Pacific Branch, Soldiers' Home, Los Angeles County, Calif., and for other purposes;

H. R. 7223. An act to add certain lands to the Gunnison National Forest, Colo.;

H. R. 7518. An act for the relief of the Farmers National Bank of Danville, Ky.;

H. R. 8651. An act for the relief of Lynn W. Franklin;

H. R. 8724. An act granting certain lands to the city of Mendon, Utah, to protect the watershed of the water-supply system of said city;

H. R. 8733. An act granting certain lands to the city of Bountiful, Utah, to protect the watershed of the water-supply system of said city;

H. R. 8734. An act granting certain lands to the city of Centerville, Utah, to protect the watershed of the water-supply system of said city;

H. R. 9902. An act for the relief of James A. DeLoach;

H. R. 11203. An act granting the consent of Congress to the counties to Telfair and Coffee to construct, maintain, and operate a free highway bridge across the Ocmulgee River at or near the present Jacksonville ferry in Telfair and Coffee Counties, Ga.;

H. R. 11762. An act to authorize an appropriation to complete construction at Fort Wadsworth, N. Y.; and

H. R. 11887. An act authorizing the Interstate Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Missouri River at or near Nebraska City, Nebr.

On April 24, 1928:

H. R. 11404. An act authorizing the Port Huron, Sarnia, Point Edward International Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the St. Clair River at or near Port Huron, Mich.

FLOOD CONTROL

Mr. MADDEN. Mr. Speaker, I ask unanimous consent that I may proceed for not more than five minutes.

The SPEAKER. The gentleman from Illinois asks unanimous consent to address the House for five minutes. Is there objection?

There was no objection.

Mr. MADDEN. Mr. Speaker and gentlemen, yesterday afternoon I introduced an amendment to the flood control bill which provided that when southern Illinois and southeastern Missouri and New Orleans assumed the responsibility of relieving the Government of any damages by reason of the work of construction which the Government was about to enter upon, then the work would proceed under the bill which we are considering. The House rejected this amendment.

Since then I have talked with the President, who says he will not insist upon the conditions laid down in the amendment which I proposed to the committee, and therefore I want to state to the House, in all good conscience, I have no valid reason that I know of for voting against the bill, and I propose to vote for it. [Applause.]

DEPARTMENT OF AGRICULTURE APPROPRIATION BILL

Mr. DICKINSON of Iowa. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 11577) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1929, and for other purposes, with Senate amendments, disagree to the Senate amendments, and ask for a conference.

The SPEAKER. Is there objection to the request of the gentleman from Iowa? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. DICKINSON of Iowa, WASON, SUMMERS of Washington, BUCHANAN, and SANDLIN.

ADDRESS OF HON. J. WILL TAYLOR, OF TENNESSEE

Mr. BROWNING. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting a speech delivered over the radio last evening here in Washington by my colleague, the gentleman from Tennessee, Hon. J. WILL TAYLOR, on the subject of immigration.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. BROWNING. Mr. Speaker, under leave granted me to extend my remarks I submit the speech delivered on last evening, April 23, over station WTFF, of Washington, by my colleague, Hon. J. WILL TAYLOR, Member of Congress from the second Tennessee district. Mr. TAYLOR is ranking majority member of the Immigration Committee of the House, and has been on that committee for 10 years. He has made a thorough, intelligent, and devoted study of this all-important American question. His position is sound and patriotic.

The address is as follows:

IMMIGRATION

My friends of the air, at the outset please permit me to acknowledge my appreciation to my good friend and former colleague, Hon. Charles I. Stengle, of New York, for the high privilege of speaking to you who may be listening in this evening on a subject to which I have devoted a large part of my legislative career, and a subject which is of vital importance to every man, woman, and child in America as well as to their posterity—the subject of foreign immigration. During the past 10 years as a member of the Immigration Committee of the House of Representatives I have had a rare opportunity to study this great problem first hand, as well as the privilege to participate in the efforts that have been made during that period to solve it.

In my judgment the proposition that confronts every citizen, and particularly every man in public life, is how the course of to-day's events can be the better molded to insure the peace and perpetuity of this great country and the marvelously designed republican form of government which has contributed so much to the happiness, comfort, and prosperity of us all. Every patriotic American wants to do what he can to help keep the Stars and Stripes aloft, to maintain unsullied the honor and integrity of the Nation with its wonderful institutions, and above all to preserve our country in material and spiritual health to the end that the benefits and blessings of free government may be transmitted in undiminished vigor to generations to come.

The dominant question is how can we best preserve and perpetuate this America of ours?

There are a number of things that we can do, but as I contemplate the panorama of social and economic problems which even to-day after many years of consideration remain unsolved; and as I recall the various policies of government which have challenged discussion throughout our history, I become more and more convinced that the keystone of American perpetuity—the most signal and important single achievement of American statesmanship in recent years are those legislative enactments providing for restriction and selection in the immigration of aliens.

When our country was young, when farms were exchanged for a hunting knife or a flint-rock rifle, when our natural resources called to the world for development, it was natural that we should welcome people from all corners of the earth to come and help us build a new nation. At that time we could not with practicality impose conditions or qualifications on those who were disposed to cast their lot among us. But now the situation has changed. To-day we have no free lands to allot. We have no surplus of natural resources for development. We have no under-manned industries. These United States which counted only a few millions of hardy pioneers along the Atlantic seaboard now number 115,000,000 souls scattered from coast to coast, from the Arctic Circle to the islands of the seas. Our lands have been occupied. Hamlets have become villages, towns have grown into cities, and our great metropolitan centers now number their inhabitants by the millions. The problem of to-day is to find room and occupation, housing facilities, food, clothing, entertainment, equipment, education, and transportation for this teeming, busy population.

With this tremendous growth in numbers have come changes in every industry known to the genius and ingenuity of man. A century ago the steam engine began to displace the power of hand and horse, water and wind. The steam engine still has its function, but only in the past generation we have noted the development of the internal-combustion engine and the electric motor. To-day the employment of electricity is rapidly superseding man power and transforming automatically the lives of the people. It would be presumptuous for me to recount to you the myriad articles that are made by electricity or the part that electric power plays in industry.

What is the significance of this marvelous growth of machine power, and what will be its consequences?

For one thing, of course, it means comforts and luxuries for all of us such as our sires and our grandsires in their wildest vagaries never dreamed. But in another aspect, it means the most momentous readjustments and transformations in the lives of all who labor. Machinery has taken the place of human hands in every avenue of industry. We are told that in the great steel mills there are mechanical devices to-day which do the work for which it was formerly necessary to employ as many as 200 men. Machines do not eat. They wear no apparel. They do not require homes, or household goods, rest and recreation, or doctors, or movie shows. They produce but they do not consume, and from that source springs one of our greatest difficulties.

This is the social and economic condition which your representatives in Congress began to sense nearly a generation ago. As a matter of fact, at the very beginning of our Government and intermittently since there has from time to time arisen complaint against the admission of foreign people. But it was only toward the close of the nineteenth century, when foreigners began to come to our shores at the rate of nearly a half million a year, and when modern machinery began to make itself felt in industry that the necessity for some protection to the working people of the United States became apparent and imperative.

From 1890 to 1900 more than three and one-half million aliens were landed on our shores, and from 1901 to 1910 the total alien influx was approximately nine millions. In 1914, and again in 1917, President Wilson vetoed new exclusion bills, each containing a "literacy test" and the hordes from abroad continued to jam our ports demanding admittance. Of course, during the great World War immigration from continental Europe was necessarily greatly curtailed; but at the close of the struggle, due to chaotic conditions in Europe, the tide of immigration to America was renewed with increased volume and momentum.

The great steamship companies of the world began to vie with each other in commercial rivalry to see which could deliver the greatest

number from abroad regardless of their qualifications for American citizenship. It soon became obvious to everybody that unless something was done to arrest this terrible tide that America would soon become the dumping ground and the melting pot for the offcast of all Europe. Under the leadership of the late Representative John L. Burnett, of Alabama, then chairman of the Committee on Immigration of the House, we had already passed the act of 1917, which undertook to bar the indigent, the criminal, the insane, the diseased, the illiterate, and the anarchistic classes, but this would not begin to stem the tide. The temporary quota law of 1921 was thereupon enacted, but it proved to be a mere stop-gap. It was imperfect from an administrative standpoint, contained many exceptions and exemptions, and was susceptible to all sorts of easy evasions. The inevitable result was that within two years following its enactment the tide of immigration began to mount again. In the year before it became effective the gross admissions exceeded 800,000. In the first year of its operation they were reduced to 300,000. The second year they crossed the half million mark, and in the third year they went over 700,000.

Patriotic organizations throughout the country many of which for years previous had been agitating this question became still more active and insistent, and more tenaciously besieged and besought Congress to take some drastic step to save America from this great menace. Conspicuous among those organizations was the Junior Order United American Mechanics. In a speech delivered in the House of Representatives on April 8, 1924, I took occasion to call public attention to the magnificent work performed by this splendid order in awakening the public conscience of America to the dangers of unrestricted foreign immigration. I said then, and I repeat to-night, that for the patriotic and unselfish service which this stalwart organization has rendered to the cause of Americanism it has earned and will deserve, and undoubtedly will receive the everlasting gratitude of the American people. Largely as result of this agitation the 1921 temporary quota was perfected by the enactment of what is now known as the Johnson-Reed Immigration Act, which became effective July 1, 1924. This act is based upon a 2 per cent quota of the foreign-born population of the United States, according to the census of 1890, and admits of an aggregate quota of only 164,667. It possesses a sentimental appeal, inasmuch as the largest quotas are from the countries of northern and western Europe, from which most of our ancestors came.

While taking a just pride in the progress that has been made in the solution of our immigration question, those directly responsible therefor admit that the good work has not yet been finished. They expect, however, to continue the fight until Old Glory and our free institutions are amply safeguarded against any baleful influence from abroad.

I should feel indeed derelict in my duty if, in passing, I did not pay just tribute to the Republican Congress which passed the immigration act of 1924, to the leaders, Representative ALBERT JOHNSON, of Washington, and Senator DAVID REED, of Pennsylvania, who sponsored it, and to our great President, Calvin Coolidge, who made it a law by his signature.

In conclusion, my friends of the air, I submit that our immigration legislation was born largely of the spirit of that celebrated poem written by Aldrich, which, in my judgment, is most apropos at this time:

"O Liberty, white goddess, is it well
To leave the gates unguarded? On thy breast
Fold sorrow's children; soothe the hearts of fate.
Lift the downtrodden, but with hand of steel
Stay those who to thy sacred portals come
To waste the gifts of freedom. Have a care
Lest from thy brow the clustered stars be torn
And trampled in the dust. For so of old
The thronging Goth and vandal trampled Rome,
And where the temples of the Cæsars stood
The lean wolf, unmolested, made her lair."

EQUALIZATION FEES

Mr. LANKFORD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on the subject of equalization fees.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. LANKFORD. Mr. Speaker, I reintroduced in the House to-day the McNary farm relief bill as it passed the Senate, with proposed changes as to the equalization fee, so that in case of tobacco no fee could be levied on the sale or transportation of leaf tobacco, but, if at all, only on the sale or transportation of cigarettes, cigars, and smoking tobacco, and as to livestock and grain so as not to be on the transportation except "in wholesale or carload lots by common carrier for delivery in interstate commerce."

My new bill would also repeal all Federal taxes or licenses now of force on tobacco in all forms whatsoever.

I am reintroducing the Senate bill with these changes, not because I favor the Senate bill in its entirety, but in order to suggest these amendments in an effort to make less offensive and burdensome the greatly criticized equalization fee as to tobacco, livestock, and grain.

The equalization fee in the provisions of the Senate bill as to other commodities is in splendid shape, if there is to be any equalization fee at all.

I seek to repeal all other taxes on tobaccos in any form. If this is done I am confident there will never be need for an equalization fee in behalf of the farmers greater than is now actually levied on tobaccos as a tax for general purposes. I purposely left chewing tobacco out of the list on which an equalization fee might be levied, as this form of tobacco has been taxed ever since the Civil War, and in all fairness should now be relieved of all tax burdens.

PRESENTATION OF MEMORIALS AND RESOLUTIONS

Mr. SEARS of Nebraska. Mr. Speaker, I ask unanimous consent to present about 50 memorials and resolutions from chambers of commerce of various cities in Nebraska in reference to flood control and the conserving of the waters of certain rivers near their source.

The SPEAKER. The gentleman does not need the consent of the House to present the resolutions.

WILLAMETTE AND COLUMBIA RIVER CHANNEL PROJECT

Mr. KORELL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of the Columbia River Channel and to include therein some quotations from the hearings before the committee considering the project.

The SPEAKER. The gentleman from Oregon asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

There was no objection.

Mr. KORELL. Mr. Speaker and Members of the House, it is frequently stated that the demands for transportation facilities are regulated largely, if not entirely, by the productive capacity of the farms, factories, forests, and mines of the various communities and sections of the United States. Whenever local production exceeds the immediate consumptive needs of a particular community or section there is a necessity for the quick exportation of the excess in order to avoid the curtailment of production, financial depression, unemployment, and all the disastrous consequences that inevitably follow in the wake of these highly undesirable conditions.

It appears idle to add to this statement any mention of the fact that a shortage in local production must be made up by importing sufficient of the deficient commodities to take care of local consumptive needs. Accordingly, if the cost of exportation should become so high that it will prevent local producers from competing successfully in distant and foreign markets local production will be retarded as effectively as if the excess production could not be moved at all. On the other hand, when the cost of importation becomes unreasonable local purchases decline and the trade of distant communities and sections falls off. Obviously, therefore, every extra charge that is added to the cost of transportation is a serious and actual menace to both producer and consumer. Moreover, freight rates have a direct bearing upon the cost of living in the United States and are reflected in the general prosperity and welfare of our country. In view of the ever present and vitally important need of having adequate transportation facilities everywhere in the United States to meet the reasonable and varying requirements of the different communities and sections of the country, I believe that a few words, at this time and in this connection, about the Willamette and Columbia River channel project, which has been recommended by the Board of Army Engineers and received the approval of the House Committee on Rivers and Harbors will be timely and appropriate. Before commenting upon the details of this particular project however, I will ask for your indulgence to a few brief remarks about the importance of river and harbor work generally throughout the United States.

On account of the broad expanse of our country, the great distance between its various communities and sections and the vast oceans which lie on either side and between us and the great foreign markets of the world, the problem of establishing and maintaining adequate transportation facilities throughout the United States to handle our domestic and foreign commerce has taken on a national aspect and has made the subject of transportation a great and absorbing national problem. It is a public matter of paramount interest to the American people, and one that has received, and must continue to receive, the

most careful attention and study by Congress. I am delighted to see the interest that has been manifested by the present session in several of the most important phases of transportation, particularly in the acquisition and maintenance of an adequate merchant marine.

Much progress has been made to date in the development of various methods of transportation by land, air, and water. In the lifetime of many now living the continent on which we live has been spanned with hoops of steel rails over which the commerce of the Nation moves daily with speed and reasonable economy. During recent years hard-surface roads have been constructed in practically every State in the Union. Good intrastate market roads are to be found almost everywhere. The Government is now engaged in building a wonderful network of main highways to connect up with the principal State and county roads all over the United States. Again, at the present time several Government departments are occupied with the work of laying out and establishing air-mail routes. Passenger, mail, and express are now being carried from city to city on the wings of the wind. Lindbergh and other daring aviators have opened the eyes of America to the possibilities of aerial transportation. Both land and air transportation have been liberally encouraged and generously supported by Congress. Before the combined progress of rail, motor, and airplane transportation the distances on our continent are being rapidly reduced and time greatly conserved.

Notwithstanding the unprecedented progress of rail, motor, and airplane transportation methods which are steadily bringing the remote communities and sections of our wonderful country into closer, more intimate, and cordial relations with each other there are certain inherent limitations in each of these methods which make for the establishment of minimum charges below which freight rates can not drop and savings can not be effected on the cost of transportation. It is also impossible to handle our rapidly growing foreign commerce by any one of these methods. The lowest freight rates must be attained and the maximum savings in the cost of transportation effected through the further development and enlargement of our water-borne commerce. Ships have been and will continue to be the only practical means by which we can carry our exports abroad. These considerations account for the renewed interest in shipping and river and harbor development work. They are also the explanation of the agitation for an American merchant marine during recent sessions of Congress.

Since the construction of the Panama Canal and particularly since the conclusion of the World War, the opportunity for greater reductions in freight rates through the further development and increase of our water-borne commerce has become more and more apparent to the American people. The idea of increasing our national prosperity through saving on the cost of transportation is now generally accepted and may at this time be said to be definitely established. The extent of the development that has already been made in our intercoastal trade through the Panama Canal has been remarkable. To meet the constantly increasing demands that are being made upon them, the steamship lines engaged in carrying this class of commerce are racing at this very minute with each other in an effort to build larger and faster ships. On the other hand the great maritime nations of the world are seeking to capture our foreign trade with speedier and larger vessels which foreign-labor conditions and lower construction costs have so far enabled them to build abroad more rapidly and economically than American capital has been able to build them in the United States. One of the committees of this House recently conducted extended hearings to determine the most satisfactory way to overcome this disparity and to assist in establishing and maintaining an adequate merchant marine flying the American flag. The results of the committee's study and conclusions are now before the House in the form of a well drafted and constructive bill. Incidentally I am glad to see the press of the country give the favorable notices that it has to this very meritorious piece of legislation.

As a consequence of the tremendous savings that are being effected through the rapid growth and expansion of our water-borne commerce, both coastwise and foreign, reflected in the race that is now going on between intercoastal and foreign steamship owners to construct larger and faster vessels, many of our major seaports require deeper and wider channels to accommodate the tonnage that is clearing from them. There is a need to standardize the channel dimensions of all our major seaports so that the larger size ships may enter and clear from them without unreasonable delay or excessive costs. This need is somewhat analogous to that which existed a few years ago for standardizing the rails and rolling-stock equipment of our various railroads. It will not avail the ship operators of either

the Atlantic and Gulf States to build larger and faster vessels to meet the increasing demands of our intercoastal trade if their ships when built will not be able to enter the Pacific coast seaports. The same thing is true with regard to ships of the Pacific ports sailing for Atlantic and Gulf ports. Manifestly this necessity requires a certain uniformity in the width and depth of river channels leading to and from the seaports.

One of the major Pacific coast ports that has experienced large increases to its tonnage by the development of intercoastal shipping and the extension of our foreign trade, principally with the Orient, is the port of Portland, situated on the Columbia River about 100 miles inland from the Pacific Ocean and serving a territory of approximately 259,000 square miles, with about 4,500,000 people. Like many other major seaports the commerce of this particular port has outgrown its present channel dimensions considerably, and there is an imperative need for deepening and widening its channel. I, therefore, take this occasion to bring to your attention an extended statement that I recently made before the Rivers and Harbors Committee of the House, urging the committee's adoption of the recommendation of the Board of Army Engineers for the immediate improvement of the Willamette and Columbia River Channel from Portland to the Pacific Ocean.

The statement is quite comprehensive, and I appreciate the opportunity that has been accorded me of being able to extend it in the Record to supplement and accompany my present remarks on the subject under discussion. For convenience I have inserted several tables to which references were made in the course of making my statement. I have also made one or two corrections of figures. I trust that you will favor me by reading this statement at your leisure and that the merits of the Willamette and Columbia River project will commend it to your favorable consideration when the rivers and harbors bill shall come before you for your vote. I also appreciate your indulgence of my remarks at this time.

The statement is as follows:

STATEMENT OF HON. FRANKLIN F. KORELL, REPRESENTATIVE IN CONGRESS FROM THE STATE OF OREGON

The CHAIRMAN. Mr. KORELL, some of the members have not been there, and if you will take the pointer and show the committee what part of these two rivers are to be improved, and on what terms under this report, then we will start off with our basis.

The CHAIRMAN. Take your own method and your own way, but, as it seems to me, the things that the committee will be interested in are these: First, do the vessels which will carry your traffic need 35 feet; second, is your commerce dense enough so that you need additional width; and, third, are your banks being stabilized there so that your maintenance charges are likely to be lessened, and will this improvement help to stabilize the banks by the excavation of the material and placing it in the form of these dikes which they have been using for stabilizing there?

Mr. KORELL. I will touch on all those matters as I proceed. I will mention some other matters as I go along, so that the record may be complete should anyone wish to inquire about facts that may not appear in the committee's report.

PORTLAND—A RIVER PORT

The port of Portland is situated at the confluence of the Willamette and Columbia Rivers. It is as I have just pointed out to you—a little over 100 miles inland from the Pacific Ocean. It occupies a geographical position somewhat analogous to such major ports as Hamburg, which is 80 miles from the mouth of the Elbe; London, which is 60 miles up the Thames from the North Sea; New Orleans, which is 90 miles above the junction of the Mississippi with the Gulf of Mexico, and Philadelphia, which is 90 miles from the point where the waters of the Delaware River and Bay merge with the waters of the Atlantic Ocean. It is the only fresh-water harbor on the Pacific coast. A list of famous river ports would not be complete unless it includes such ports as Liverpool on the Mersey, Glasgow on the Clyde, Buenos Aires on the Plata, Shanghai on the Yangtze, Havre on the Seine, and Rotterdam on the Rhine. New York on the Hudson is perhaps the most famous of all river ports. The history of all these great shipping centers shows that their elevation as ports is due to the fact that they are at the head of ship navigation on rivers that drain great basins. Judging from comparisons, there is no reason why Portland should not become the equal and even exceed the shipping of many of these important ports. It possesses all of their natural advantages. The mouth of the Columbia River is 610 miles north of San Francisco Harbor and 160 miles south of the Straits of Juan de Fuca.

The port of Portland is reached at the present time by the Willamette and Columbia River Channels, which the Government assists in maintaining 30 feet deep and 300 feet wide. It is for the purpose of urging your adoption of the recommendation of the Board of Army Engineers for the improvement, or perhaps I might more properly state, the com-

pletion of plans for the deepening and widening of these two channels that the Oregon delegation has requested and obtained the privilege of appearing before you this morning. Before I proceed further I want to express our thanks for your favor in indulging us with the courtesy of an early hearing. I am confident that you will give our project your very careful consideration and that such consideration can not do otherwise than commend it to you.

RECOMMENDATION OF ARMY ENGINEERS

Briefly summarized, the recommendation of the Board of Army Engineers, approved by the War Department, is that the present channels of the Willamette and Columbia Rivers should be deepened to a depth of 35 feet and widened to a depth of 500 feet for their entire length. The recommendation is accompanied by a report, signed by Maj. Gen. Edgar Jadwin, Chief of Army Engineers. I have a copy of this report at hand and will read a few excerpts from it:

"A large and important commerce has developed on the Columbia and lower Willamette Rivers, due in great measure to the efforts of Portland and the expenditure by that locality of some \$25,000,000 on channel improvement and on construction of terminal facilities.

"The extent of this cooperation demonstrates the belief of the people of Portland in the future of their port and indicates the energy and earnestness with which they may be expected to work in the future for further growth and expansion of business."

Mr. McDUFFIE. You say you spent \$25,000,000 on channel improvement and terminals. What percentage was spent for the channel improvement?

Mr. KORELL. Approximately \$10,000,000 for channel improvement work, and approximately \$15,000,000 for harbor improvement facilities. The figures furnished to me by the ports engineer are as follows:

On river entrance.....	\$475,000.00
Dredging and similar work.....	10,510,912.35
For other purposes incidental to above.....	5,166,333.53
Public docks.....	10,000,000.00
Total.....	26,152,245.88

The Government expenditures are:

Amount expended on all projects to June 30, 1927, after deducting receipts from sales, etc., amounting to \$81,025.24:

New work.....	\$3,550,332.97
Maintenance.....	6,232,620.49

Net total expended..... 9,782,962.46

Total appropriations and contributions to June 30, 1927..... 10,223,343.06

The CHAIRMAN. They have, as you will remember, Congressman McDUFFIE, what was two years ago the largest dredge in the world, as I understood.

Mr. KORELL. That is a fact.

The CHAIRMAN. That worked just below Portland.

Mr. KORELL (reading):

"The utilization which is being made of existing channels is shown by the size of vessels now entering the port. The number drawing 28 feet and over was 196 in 1926, while in 1924 it was only 72."

The CHAIRMAN. How many of these were oil tankers and how many carriers of other cargo?

Mr. KORELL. I think practically all of those were carriers of cargo other than oil tankers, but the engineer, General Deakyn, is here, and if he doesn't have the figures you have asked for I can present them to the committee later on. I don't have the exact number now.

LARGE VESSELS CLEAR PORT

The CHAIRMAN. What percentage of the commerce, which I understand to be 7,000,000 tons, was carried in vessels above 28-foot draft, and what percentage in vessels of less draft?

Mr. KORELL. I do not carry those figures in my mind.

The CHAIRMAN. Here is the statement in the annual report, part 2, page 855:

Trips and drafts of vessels
OCEAN GOING

Draft (feet)	Inbound—				Outbound—			
	Steamers	Motor vessels	Sailing	Barges	Steamers	Motor vessels	Sailing	Barges
31 to 32.....					2			
30 to 31.....	1				5			
29 to 30.....	3	2			14	1		
28 to 29.....	39	6			24	3		
27 to 28.....	34	2			54	6		
26 to 27.....	45	7			73	9		
25 to 26.....	34	11			80	13		
20 to 25.....	294	60		4	510	77	2	
15 to 20.....	888	65	6		674	45	5	3
10 to 15.....	238	17	2		143	12		1
Total.....	1,576	170	8	4	1,579	169	8	4

Mr. McDUFFIE. That is for the year 1926. Then, according to that statement, they do not have a vessel drawing over 32 feet.

The CHAIRMAN. There was no vessel above 31 feet inbound, and only two vessels outbound.

Mr. CARTER. How much water is there now?

The CHAIRMAN. Thirty feet.

Mr. CARTER. Then how could you expect them to have vessels over 30-foot draft?

The CHAIRMAN. This only has a bearing, Congressman CARTER, on the question asked, which is whether the vessels, not alone those that are there now, but those that come in, would need that added depth.

Mr. MORGAN. I assume there is a very heavy current on the river and it silts very rapidly.

The CHAIRMAN. The river silts very rapidly. It is very difficult of maintenance.

Mr. HOUSTON. Mr. Chairman, have you any data as to the vessels drawing over 32 feet operating in and out of the Pacific ports?

The CHAIRMAN. Yes; I think we can get that very easily. All we have to do is to look at San Francisco and Los Angeles.

Mr. McDUFFIE. There were five vessels that draw over 30 feet, and two, 31 feet to 32 feet. They have an 8-foot tide at the mouth and about 3 feet at Portland.

Mr. CARTER. And a 30-foot channel would give them only 33 feet. Of course that is a very difficult channel, with 33 feet of water. It is difficult to navigate, drawing 32 feet.

Mr. KORELL. I have the exact figures, taken from the report of the Chief of Engineers of the United States Army for 1927. It shows a total of 469 of the larger-sized vessels entering and clearing from the port.

The CHAIRMAN. What page?

Mr. KORELL. Page 1673.

The CHAIRMAN. Of volume 2?

Mr. KORELL. Of volume 1. They were divided as follows: Eight vessels of 30 feet to 32 feet; 20 vessels 29 to 30 feet; 168 vessels of 27 feet to 29 feet; 273 vessels of 25 feet to 27 feet.

The CHAIRMAN. Now, this is pretty important, and which you do not state: "About 65 per cent of the total commerce moved in vessels which require the full project depth." I think that statement on pages 1672 and 1673 shows the situation. I don't know exactly how to reconcile that, however, with the statement at the top of page 855, General Deakne.

Mr. McDUFFIE. Mr. Chairman, that probably would depend upon the construction of the language there, "using the full project depth." What in their opinion would be a vessel using the full project depth?

Mr. CARTER. A vessel drawing 30 feet or more.

Mr. MORGAN. Well, it does not because the river silts pretty badly there.

General DEAKNE. They have had floods up there, and when the water comes down it silts so badly that the full depth is not available until a little dredging is done.

The CHAIRMAN. That is not what I am calling attention to. I can not reconcile the two statements, the one at page 855 of volume 2, which purports to give the trips and depth and draft of vessels and which would show almost no vessels of the larger size, and a statement at pages 1672-1673 of volume 1, which shows that practically all of the commerce was carried in vessels of the deeper draft. How do you reconcile those two?

General DEAKNE. On page 855 it shows seven vessels outbound drawing between 30 and 32 feet. That compares with eight vessels on page 1673. One inbound would make the eight.

The CHAIRMAN. Well, it may be that those will add up to that. They don't seem to, though.

General DEAKNE. Then, you have 5 inbound and 15 outbound from 29 feet to 30 feet, and that adds up 20, which is the same as is given on page 1673.

Mr. McDUFFIE. General, what makes the difference in the number between the inbound and the outbound vessels? Of course, the inbound went out. They probably didn't stay there.

The CHAIRMAN. Wouldn't it mean this: Aren't there other ports, and isn't that it? Aren't there other ports on these two rivers besides Portland? There is another port up there on the Willamette, isn't there?

General DEAKNE. Well, there is Vancouver, but it doesn't have a deep channel.

The CHAIRMAN. I thought those vessels might clear from another port than Portland.

Mr. HAWLEY. A great many clear at St. Helens and Longview, which are below Portland about 25 and 35 miles.

Mr. MORGAN. These grain elevators are down below, aren't they?

Mr. HAWLEY. St. Helens and Longview are lumber shipping ports?

The CHAIRMAN. Would that be included in the Portland statistics, these lumber ports and St. Helens, or are they above?

General DEAKNE. On the next page is a report on the Willamette River ports other than Portland.

The CHAIRMAN. Well, I think we have clarified it pretty well.

Mr. McDUFFIE. What is the population of Portland?

Mr. KORELL. About 354,000, according to local estimate; not the official census.

Mr. McDUFFIE. Have you got a large shipbuilding industry there?

Mr. KORELL. There has been—

Mr. McDUFFIE. I note you have two very large dry docks, one 10,000 and the other 15,000.

Mr. KORELL. There has been a very considerable amount of shipbuilding there; and, in fact, there is some shipbuilding going on there now. The Government recently let a contract for the construction of three lighthouse vessels, and then there are a number of plants that are making parts—boilers and other equipment for vessels.

Mr. McDUFFIE. Are these shipbuilding plants employed most of the time?

Mr. KORELL. They have been active until recently, but I believe that these three Government vessels are the only ones upon which new construction work is being done at the present time.

The CHAIRMAN. Are they commercial or naval vessels?

Mr. KORELL. They are lighthouse vessels.

Mr. HOUSTON. You have trebled your population, haven't you, in 25 years?

Mr. KORELL. The city is growing by leaps and bounds.

Mr. HOUSTON. My recollection is that about 25 years ago the population was about 90,000 inhabitants.

Mr. McDUFFIE. The shipbuilding business is about on its last legs all over the country.

The CHAIRMAN. What we have in mind is, if this project is acted on favorably it comes before the House, and the natural inquiry on the part of Members is going to be just exactly what I have directed your attention to, to show this added depth is necessary on account of the kind of vessels which will come if you have it, and, second, that the added width is necessary on account either of the density of traffic or because of conditions peculiar to the stream which you can describe. Those two things are your issues?

MAINTENANCE OF ENLARGED CHANNEL

Mr. KORELL. I will take up both of them as I proceed. I was reading from the report of General Deakne when the interrogations started, and I will continue reading just one or two further excerpts from the report:

"The total traffic in ocean carriers in 1926 was more than 1,000,000 tons greater than in 1925, the increase being wholly in the foreign trade.

"From a study of the advantages of a channel of greater depth than that now provided, the district engineer estimates that about \$400,000 per annum might be saved in transportation charges."

The CHAIRMAN. Right there, how much will the added maintenance cost be over the present depth? You ought to have the two together, and then you will show what that means in net results.

Mr. KORELL. It is \$365,000, including the carrying charges. Three hundred and ten thousand dollars is the actual annual maintenance charge.

The CHAIRMAN. About the interest charge. The difference between the estimated savings and the maintenance charge is how much?

Mr. KORELL. The project, as I will show a little later on, will amortize itself at the rate of about \$245,000 a year.

The excerpts I have just quoted from the report of General Jadwin are pertinent. They are in themselves a strong argument for your favorable consideration of the board's recommendation. However, in view of the importance of the project that is before you to the people of Portland and of Oregon and of the Northwest, I would like to say a few words in amplification of the statements of General Jadwin before I attempt to confine myself strictly to the specific questions mentioned by the chairman. First, I want to stress the fact that the producing territory served by the port of Portland is now and for some time past has been supplying a tonnage that entitles it to a better channel to the Pacific Ocean than the present Willamette and Columbia River channels. In other words, I want to emphasize the proposition that we are not asking that the future be unduly anticipated, but merely that the existing needs be reasonably met.

PRODUCING AREA AND PORT FACILITIES

The Columbia River, which forms the boundary between the States of Oregon and Washington, extends its tributaries into the States of Idaho, Montana, and British Columbia. It is the only estuary that pierces the great mountain barriers, separating the inland empire, an area of approximately 259,000 square miles lying east of the mountains from the Pacific Ocean. It is navigable for approximately 300 miles above the city of Portland. The Snake River, its eastern tributary, is navigable for a distance of at least an additional 100 miles. The population of the Columbia River Basin is conservatively estimated to be 4,281,816 people.

The CHAIRMAN. Do you state in your statement how much, if any, commerce comes from east of Portland and through the Snake River or the Columbia or the Willamette? Have you any figures on that?

Mr. KORELL. Practically all the tonnage comes from the territory east of the Willamette River except the lumber, and that clears from the port of Portland. The logs are rafted up the river and cut up

by Portland sawmills. The Willamette River drains the area south of the Columbia.

The CHAIRMAN. In other words, the statement that these streams extend beyond the mountain barrier is important if you have any commerce, and it should be connected up with that?

Mr. KORELL. Yes, sir; I have some figures of the extent of that commerce, and will quote them in a few moments.

The Willamette River, the southern tributary of the Columbia, flows through the world's richest agricultural section. It pours its waters into the Columbia about 99 miles from the sea. The mean range of tide at this point is 2½ feet. That at the mouth of the Columbia is 7½ feet. The city of Portland is the natural gateway of outlet for the products of the Columbia River Basin area. Commerce moves to it from all parts of the inland empire, down the river or on rails, which follow water-level grades.

The port of Portland, which handles all of the commerce moving to the city of Portland, contains 29 miles of harbor frontage. It has 6½ miles of dock, four large municipal terminals completely equipped with the most modern facilities for handling tonnage; also, four powerful dredges, two floating dry docks, a turning basin, and repair plants. There are several shipbuilding yards on the Willamette River. One of these recently received, as I stated in answer to a question a few minutes ago, a contract for the construction of three Government vessels. Fifty-six coastwise and oceanic steamer lines and six railways carry the rapidly growing commerce of the port to all points in the United States and the world's foreign markets.

Mr. McDUFFIE. Did you say there were 56 steamship lines?

Mr. KORELL. Yes, 56 steamship lines. I can give you the names if you wish them.

Mr. McDUFFIE. You need not mind about that. It seemed quite a large number.

Mr. KORELL. In addition to its various other activities, the port of Portland operates a municipal towage service and a traffic bureau. These activities have been of inestimable value in fostering the growth of the city's water-borne commerce.

TONNAGE OF PORT

Some idea of the volume and nature of the shipping now being done by the port of Portland may be gained by the citation of some recent figures compiled by the port's engineer and the Portland Chamber of Commerce; \$277,568,000 was spent for cargoes leaving the port in 1927; \$14,000,000 was spent during the same period for services to ships; 1,687 vessels cleared the port in 1927. I have already given you the number and dimensions of the vessels drawing over 25 feet. The volume of tonnage for 1925 was 5,235,882 tons. For 1926 it was 6,310,459 tons, a gain of over 100,000 tons. The tonnage for 1927, while not at hand, was in excess of all previous years. More wheat was shipped during the eight months of the fiscal year than was shipped during the entire year preceding it. Figures just issued by the Department of Commerce show that the exports of merchandise from Oregon during July, August, and September of 1927, had an aggregate value of \$27,249,901. The corresponding period for 1926 was \$23,378,876, a difference of \$3,846,025. The latest figures (U. S. Shipping Board report D. S. No. 296) put the State in twelfth place as an exporter.

Comparative statement of Portland's water-borne commerce for the calendar years of 1925 and 1926 as noted in volume 2, page 857, Report of the Chief of Engineers, United States Army, 1927

Foreign	Tons	Value
1925		
Inbound.....	122,126	\$14,125,085
Outbound.....	814,568	31,851,530
Domestic.....	3,085,319	195,575,414
Internal river.....	3,748,805	49,746,558
Total.....	7,770,818	291,298,587
1926		
Inbound.....	124,615	12,973,297
Outbound.....	1,661,940	72,379,842
Domestic.....	3,047,539	196,987,517
Internal river.....	3,244,459	47,647,763
Total.....	8,078,553	329,988,419

Portland produces more of the products that it transports than any other port in the United States. This means the world. One-third of all the standing timber in the United States is in the State of Oregon, of which the city of Portland is the outstanding center. The United States is the owner of a very considerable portion of the standing timber. Sixteen per cent of all the grain in the United States is grown in the Northwest. Pulpwood, mohair, flax, fruits, and vegetables are other products produced in large quantities for many basic industries. The agricultural products of the Columbia River Basin are valued at approximately \$700,000,000 a year. Over 58 per cent of all these products are shipped by boat via the port of Portland.

Great as the figures I have cited may appear, they are small compared to what they will be when the millions of acres of land in the

inland empire area now being brought under cultivation by the United States are made productive by irrigation. As the Columbia Basin is settled and developed the products of its mines and forests and farms will grow into a steadily increasing volume of traffic of exports through the port of Portland and down the Willamette and Columbia Rivers to the Pacific Ocean.

PRESENT CHANNEL INADEQUATE FOR EXPANDING COMMERCE

While the commerce of the port of Portland has been steadily increasing, faster and larger ships have been entering and clearing from it. As the size and speed of the ships have increased the need of a deeper and wider channel has grown. The present 30-foot channel, with its width of 300 feet, is not adequate to accommodate vessels entering and clearing the port drawing 28 feet and over. In this connection, I again call your attention to the fact that the report of General Jadwin states that vessels of this character have increased from 72 in 1924 to 196 in 1926. It appears idle to say to the committee that there must be sufficient clearance under the keels of these larger ships to assure their safe passage to and from the port of Portland, that allowance should be made for their clearing the rocks, snags, and sinker logs, which are washed along the river bottoms by winter and summer freshets. Twenty-eight feet is the limit that can venture into a 30-foot channel. Even vessels of this draft must move cautiously. Due consideration must also be given to their squat or the water depression of the two rivers. (With reference to squat, the *President* type of boats used by the Dollar Steamship Co., having a 32-foot draft, develop a squat of 2 feet and 9 inches at 10 knots. An additional 2 feet is required for effective control in steering those vessels.) I assume that the committee is aware that it is a fact that ships have a deeper draft when moving through fresh water than when moving through salt water. Again, a width of 300 feet does not permit of reasonable steerage speed for vessels drawing 28 feet and over. Ships can not pass with safety in such narrow limits. This is especially true in the Willamette and Columbia Rivers, where large log rafts are encountered almost daily. I have taken the following table of project channel dimensions of various harbors from the report of the Chief of Engineers, United States Army, 1925:

Project channel dimensions, various harbors

[From report of Chief of Engineers, United States Army, 1925]

	Project depth	Width
	Feet	Feet
Boston, Mass.	35-40	900-1,500
New York:		
Ambrose Channel.....	40	2,000
Bay Ridge-Red Hook.....	40	1,200
Bayside-Sidney.....	30	1,000
East River to navy yard.....	40	1,000
East River above navy yard.....	35	550-1,600
Hudson River, Ellis Island to Hoboken.....	40	800
New Haven, Conn.....	20	400-1,200
Bridgeport, Conn.....	22	500-1,500
Philadelphia, Delaware River, and Bay.....	35	800-1,200
Baltimore, Chesapeake Bay and Patapsco River.....	35	600-1,000
Norfolk, Va.:		
Hampton Roads to Elizabeth River.....	40	750
Up Elizabeth River 12 miles.....	40	450
Newport News, Va., Hampton Roads up James River.....	35	600
Charleston, S. C., bay and river channel.....	40	1,000
Savannah, Ga., Savannah River, etc.....	30	500
Jacksonville, Fla., St. Johns River.....	30	300-600
Mobile, Ala., Mobile River, etc.....	30	300-450
New Orleans, La., Southwest Pass, Mississippi River.....	35	1,000
San Diego, Calif.....	35	570
Los Angeles:		
Outer Harbor.....	35	1,200
Inner Harbor.....	35	1,000
San Francisco, bar channel only.....	40	2,000
Tacoma, city waterway.....	29	600
Seattle Harbor, east and west waterways.....	34	750

The CHAIRMAN. Which direction are these log rafts moving? Where are they moving from?

Mr. KORELL. Some move up to the city of Portland to be cut up into lumber in sawmills located there; some move from places along the Columbia River, where logs are shot down various chutes or discharged from logging trains into the river and made up into rafts, and then taken out the mouth of the Columbia and towed by boats to other ports.

The CHAIRMAN. What I am trying to develop is this: Whether these log rafts are encountered for the entire distance that it is proposed to deepen to 35 feet or not?

Mr. KORELL. That is a fact; they are encountered not only in the Columbia but in the Willamette River.

The CHAIRMAN. And is that all lumber country? Is that all lumber country, the entire length of this river, so that they are liable to have these rafts come down into the river?

Mr. KORELL. Yes, sir.

The CHAIRMAN. On both sides?

Mr. KORELL. On both sides, and that is also true, as I have stated, to an extent in the Willamette River. (There are 395,000,000,000 feet of

standing timber in Oregon and 282,000,000,000 of standing timber in Washington.)

To maintain the Willamette and Columbia River channels at their present insufficient depth and width will be to exclude the more modern as well as the faster and larger ships from entering and clearing from the port of Portland. This will mean slowing up the movement of traffic and increased freight rates. If the present channel dimensions remain, the producers of the Columbia River Basin will be compelled to stand an unjust burden. As stated by General Jadwin in his report to Congress, about \$609,000 a year can be saved if the channel is deepened and widened. If this amount can be saved, is it just or fair to compel the producers to continue paying it?

The CHAIRMAN. Just a minute. Those are not the figures you have given us?

Mr. KORELL. Those are the figures given in General Jadwin's report.

The CHAIRMAN. That is gross, isn't it? That is not net?

Mr. KORELL. That is the total savings in the way of saving on freight.

The CHAIRMAN. Transportation charges. That is the gross saving. What I would like to have you figure out right in that connection is, taking into account the increased maintenance, how much the net saving will be.

Mr. KORELL. It will be upward of \$200,000 a year. I will submit the exact figures to you in just a minute. I have them here.

The CHAIRMAN. All right.

Mr. KORELL. The available statistics show that the tonnage of the port is increasing at the rate of about 100 per cent every five years. Accordingly, the saving each year from the enlarged channels will increase at approximately the same ratio.

I quote the following extract from the report of General Jadwin on this subject:

"The advantages of a channel depth greater than that provided by the existing project are discussed in detail by the district engineer. The higher value package freight traffic necessitates more rapid and regular movements. Such business is now handled at Pacific ports principally by combination passenger and cargo steamers and by fast freighters operating on regular schedules. Such craft now in service have drafts when fully loaded of from about 30 feet to 32 feet 9 inches. Vessels of this type are unable to enter the Portland trade on account of inadequate channel depths. The district engineer is of the opinion that the use of such vessels in the Portland trade would result in increased tonnage of high-grade imports and an increase of all export business. Such a traffic, together with savings resulting from the use of deeper draft carriers in the oil trade, elimination of delays due to groundings and waiting for favorable conditions to navigate the channel, would result in savings estimated at about \$609,000 per annum. The gradual increase in business of the Northwest and increasing trade with the Orient would still further increase the savings from an enlarged channel."

It is essential to the development of the Columbia River Basin and the prosperity of the entire Northwest that an adequate channel be maintained to permit the quick and economical movement of the products moved to and shipped from the port of Portland. So long as there is an excessive cost in moving such products to the consumers' markets that cost will continue to be reflected and borne by the producers of the inland empire. The delegation believes that the producers of the Columbia River Basin are justified in asking the Government to be placed upon a parity with the producers of other sections. The report of General Jadwin and the recommendation of the Board of Army Engineers recognizes the equity and the necessity of the proposed project. Before I leave this subject I would like to call the attention of the committee to the importance of the development of the Columbia River as a means of transporting supplies in time of war. This is perhaps pertinent to the inquiry—as the War Department exercises jurisdiction over rivers and harbors in the United States.

PROJECT AID TO NATIONAL DEFENSE

In writing about the military advantages of connecting the Great Lakes with the Hudson River and the Atlantic seaboard, under date of March 8, 1926, Secretary of War Davis wrote as follows:

"In general, inland waterways are of military value as a supplement to rail and highway transportation. War frequently makes increased demands on railroads even when these are not located in the theater of operations. Delay caused by congestion of transportation facilities may have a decisive military effect. The availability of waterways to relieve railways at the time of their peak loads is a great military asset."

Needless to say, the argument advanced by the Secretary of War in regard to the particular project mentioned in his letter is applicable with equal force to the project under consideration by the committee at this hearing.

Again, the tendency is constantly toward larger and faster vessels. On this point I quote the following from the report of H. M. Laurie, economist, Bureau of Operations, United States Shipping Board, under date of March 4, 1928:

"The failure of the American merchant marine to carry the major portion of the foreign trade of the United States since 1920, in accordance with the national policy in the merchant marine act of 1920, is due largely to the failure of the Government in providing for the expansion and speedier service necessary to keep pace with the Nation's rapidly increasing foreign trade and to meet the competition of faster foreign-built merchant vessels. And thus, the surrender of the carriage of the foreign trade of the United States by American to foreign-flag ships becomes more complete."

Also the following from the same authority:

"The more active development of our river, lake, and canal systems has been followed by increased water transportation. The existing great need for the cheapest transportation on bulk commodities should expedite the more comprehensive development of our waterway system and that branch of the American merchant marine engaged in transportation on our rivers, lakes, and canals should show an accelerated development."

Of course, it is apparent from all that has been said that if the Atlantic and Gulf ports desire to ship products in vessels suitable to the expeditious and economical handling of their commerce to the Northwest through the port of Portland, the channel from the Pacific Ocean to the port of Portland will naturally have to be enlarged to a depth and width that will accommodate their larger and swifter vessels.

IMPROVEMENT FEASIBLE AND ECONOMICAL

The next thing that I want to call to the attention of the committee is the fact that the deepening and widening of the channel is feasible and obtainable at a relatively small cost to the Government. The only thing that will be necessary to do in order to get the additional depth and width will be to do slightly more dredging than is now being done and to build a few extra wing dams. There is no rock to be cut or embankments to be constructed. The report on the cost and character of the extra work shows that to secure a channel 35 feet deep and 500 feet wide in the Columbia River, it will cost only \$1,336,000, with \$310,000 annually for increased maintenance, making the total annual carrying charges but \$365,000. I believe that I have already given you these figures. Accordingly, considered from the standpoint of an investment the difference between the estimated yearly savings and the annual carrying charges for the larger channels will amortize the original outlay at the rate of approximately \$244,000 a year. The differences in cost between an adequate channel as recommended by the board and urged by the delegation and channels of smaller dimensions are shown by a table of the estimated costs of providing channels 30, 32, and 35 feet deep and from 400 to 500 feet wide set out on page 3 of General Jadwin's report. For convenience, I have detached it and will leave a copy on the table for the committee.

	Channel—			
	30 by 400 feet	30 by 500 feet	32 by 500 feet	35 by 500 feet
Willamette River (entire cost to be borne by port of Portland):				
Original cost.....	\$170,000	\$236,000	\$347,000	\$748,000
Maintenance.....	125,000	175,000	275,000	425,000
Columbia River (entire cost to be borne by the United States):				
Total cost if depth is same above and below Tongue Point—				
Original cost.....	85,440	163,550	605,600	1,366,300
Maintenance.....	374,000	408,000	510,000	685,000
Total cost if depth below Tongue Point is 1 foot greater—				
Original cost.....	88,600	170,200	638,100	1,412,200
Maintenance.....	376,000	412,000	520,000	700,000

Another point that I desire to bring to your attention as forcibly as I possibly can is that the proposed project is not a new one. It is not an impulsive or unreasoned gesture. It is the product of a steady, consistent development accompanied by years of thought and investigation. The first survey for a 35-foot channel, 500 feet wide, appears in House Document 1009 of the Sixty-sixth Congress. This survey shows that the engineers estimated about seven years ago that 21,000,000 yards of material would have to be moved from the bed of the Columbia below the mouth of the Willamette and 13,347,000 yards in the Willamette in order to secure adequate depth and width for the safe navigation of vessels entering and clearing from the port of Portland. The survey upon which the present recommendation was made is authorized by an act of Congress passed on March 3, 1925. The survey was completed by the United States district engineer in charge at Portland. It was forwarded to the division engineer on September 24, 1926. The report which accompanied the transmission of the survey shows that the amount of dredging to be done in the Columbia River below the mouth of the Willamette is 13,000,000 yards, as against the original estimate of 21,000,000, and that that to be done in the Willamette is 6,600,000 yards, as against the previous report of 13,347,000 yards. The diking required to obtain the additional depth and width is such as would be needed to assure the maintenance of the existing channels at smaller dimensions.

RIVER APPROACHING STABILIZATION

Both the recommendation and the report which accompanies it contain detailed statements showing how the figures of costs and maintenance were calculated. I will not stop to go over these—I have already commented upon them to a sufficient extent—but I will call the committee's attention to paragraph 12 of the recommendation of the board, which in substance stated that the Columbia River Channel is fast approaching a condition of stabilization; that good results have been obtained from the permeable dikes placed in the rivers to reduce the necessary annual dredging; that an estimate made shortly after the 1927 freshet showed that about 1,000,000 cubic yards of material had been scoured out of the channels by the dikes since the survey of 1926; that it will cost \$385,000 to construct dikes for a 32-foot depth and but \$453,000 for a 35-foot depth, making a difference of only \$68,000. From experience with the existing project it appears reasonable to expect that the extra contraction works will, after a few years, reduce the annual maintenance dredging.

EXTENT OF LOCAL COOPERATION

The committee has no doubt observed that the recommendations of the Board of Army Engineers specifies certain conditions; namely, that the port of Portland shall assist in the work of improving and maintaining the channel of the Columbia River as required under the terms of the existing project, also to be responsible for obtaining and maintaining a channel of equivalent dimensions in the Willamette River. With reference to these conditions I want to say that they are not only such as the port of Portland is willing to meet, but, in fact, has already in part met.

The Willamette River channel has always been kept to a depth of 35 feet during the past 8 or 10 years. I am not going to take up time enumerating the many particulars in which the people of Portland have cooperated with the Government in channel work during the past. I will content myself with merely saying at this time and in this connection that Portland has been a partner with the Government on channel work for many years and that its record for cooperation has still to be equaled by any other port in the United States. The city has, as I stated at the outset, expended over \$10,000,000 for deepening and widening the channels to the sea and \$15,000,000 in providing docks and port facilities. To date its total expenditures have equaled if not exceeded the total expenditures of the Government on the Columbia River and channel work.

You may be interested in knowing that at one time when work on one of the Columbia River jetties, which is approximately 100 miles from Portland, was suspended owing to lack of sufficient funds to continue with its construction, Portland voluntarily, of its own accord and on its own initiative, contributed approximately a half million dollars to enable the work on that strictly Federal project to proceed. Indeed, the first money that was actually spent for improving the river channels was \$350,000 donated by the people of Portland.

Again, every dredge that the Government has placed in the Columbia River has been matched by an equally powerful dredge of the port of Portland. The city has, as your chairman has already remarked, the greatest dredge in the world in the river. Our local engineer designed it. Again, the port actually has loaned its dredges to the Government without charge, except operating costs. There has been no dodging of local responsibility in connection with river and harbor work I can assure you; moreover, there never will be any. On this Congress can absolutely depend. The city recognizes the vital necessity of maintaining its port, not only for its own future prosperity, which is bound up in the improvement and enlargement of its facilities for handling its growing water-borne commerce, but for the advantage of the people of the inland empire and the entire Northwest, who, as I have endeavored to point out to you, must to a large extent depend on Portland shipping. I suppose the committee has heard that Portland capital recently purchased 11 Government-owned vessels to add to the present shipping facilities of the port. This is additional and up-to-the-minute evidence of local pride and faith.

WILL DEVELOP NORTHWEST

As I mentioned before, the recommendation of the Board of Army Engineers does not advance a new idea. Similar recommendations have been made by other officials and boards in the past. The resident engineer recommended the proposed depth and width in his report to the division engineer on December 1, 1919. In fact, the gradual deepening and widening of the channel to conform with the present recommendations of the board was visioned in the very earliest plans for the development of commerce on the Columbia and Willamette Rivers. The time is now at hand when the completion of the plans must be hastened. If they are not, a large section of the country will continue to be unduly handicapped and its natural and necessary development unfairly retarded.

In conclusion, I want to say that I have faith in the committee's ability to recognize the justice and need for giving Portland and the people of the Columbia River Basin an adequate channel for carrying their products to the Pacific Ocean, to expedite the settlement and development of the inland empire, and to add materially to the prosperity and greatness of a great section of a great Nation.

I again thank you for granting the Oregon delegation this very early and much-appreciated opportunity to be heard upon such a vitally important matter as that which it has been the delegation's privilege and my pleasure to present to you in part.

The CHAIRMAN. Let me make this suggestion, Mr. Korell. The real questions here are the questions I have propounded to you, and if you have anything further to say on that, we will be glad to hear it. We are convinced of the fact that Portland is a large city, has a very rich surrounding country which produces a great commerce. We are convinced that the improvement to the extent that is necessary to foster that commerce is desirable. All we want is just this: Are the facilities—are the vessels which would carry that trade, if we give them this added depth, such as would draw the increased depth, and, second, is it necessary on account of the rafts and the frequency of the passage of vessels to have the increased width? Those are the two questions I would like to have answered.

ADDITIONAL WIDTH AND DEPTH NEEDED

Mr. McDUFFIE. May I ask how wide these rafts are that are towed up and down this stream?

Mr. KORELL. They vary in size. I have seen rafts there that are probably 100 to 150 feet wide. Some of the largest log rafts in the world are made up in the Columbia River and towed up and down the river and out the mouth of the river to distant ports.

Mr. McDUFFIE. A little over half of the tonnage of that port, or two-thirds of it, is timber or timber products, isn't it?

Mr. KORELL. No; I have called attention to the fact that we are shipping—

Mr. McDUFFIE. I notice the figures here give wood and paper.

Mr. KORELL. I have called attention to the fact that we are shipping grain; we are shipping pulp for paper; we are shipping all kinds of agricultural products, and we are shipping flax, salmon, and wool. I think that we stand as one of the outstanding ports in the world in the shipment of all these classes of products.

Mr. McDUFFIE. Of course, your timber is a very valuable product, but the figures here seem to show that your domestic wood and paper was over a million and a half, and the internal commerce, that stuff handled up and down the river there, was three million or more, so that makes quite a large percentage of the total.

Mr. KORELL. On page 854 of the report of the Chief of Engineers of the United States Army for 1927 you will find a detailed statement of the character and quantity of the tonnage shipped.

Columbia and lower Willamette Rivers, below Vancouver, Wash., and Portland, Oreg.

SUMMARY

Classes of commodities	Foreign			
	Imports		Exports	
	Tons	Value	Tons	Value
Animals and animal products.....	2,029	\$205,950	5,932	\$1,627,400
Vegetable food products.....	60,720	7,612,061	1,152,893	64,490,071
Other vegetable products.....	559	356,725	839	208,038
Textiles.....	8,375	2,201,330	149	33,823
Wood and paper.....	5,864	400,373	997,417	14,618,742
Nonmetallic minerals.....	21,705	744,255	798	97,356
Ores, metals, and manufactures of.....	20,421	508,284	27,397	1,073,977
Machinery and vehicles.....			366	261,480
Chemicals.....	6,112	245,479	541	270,500
Unclassified.....	3,568	892,000	552	176,640
Total.....	129,354	13,166,457	2,186,884	82,859,027

Classes of commodities	Domestic				Total	
	Coastwise		Internal ¹			
	Tons	Value	Tons	Value	Tons	Value
Animals and animal products	42, 145	\$12, 058, 675	10, 214	\$2, 669, 668	60, 320	\$16, 561, 693
Vegetable food products	364, 078	43, 964, 333	67, 059	3, 307, 986	1, 644, 750	119, 374, 451
Other vegetable products	10, 221	8, 855, 715	20	10, 000	11, 639	9, 431, 478
Textiles	32, 002	24, 046, 424	95	63, 650	40, 621	26, 345, 227
Wood and paper	1, 356, 870	37, 123, 996	3, 102, 226	40, 161, 615	5, 462, 377	92, 304, 726
Nonmetallic minerals	1, 906, 342	43, 935, 258	1, 429, 827	4, 379, 311	3, 358, 673	49, 156, 180
Ores, metals, and manufactures of	168, 248	20, 377, 814	19, 228	4, 551, 145	235, 294	26, 511, 220
Machinery and vehicles	26, 359	12, 823, 220	3, 989	1, 600, 700	30, 714	14, 685, 400
Chemicals	35, 328	10, 074, 557	1, 973	59, 190	43, 954	10, 649, 726
Unclassified	38, 852	5, 854, 403	35, 367	3, 536, 700	78, 339	10, 459, 743
Total	3, 980, 445	219, 114, 395	4, 669, 998	60, 339, 965	10, 966, 681	375, 479, 844

¹ The internal traffic includes 2,324,075 tons of rafted logs and piling valued at \$18,563,030. It also includes 141,311 tons of hogged wood valued at \$32,502 and 48,741 tons of stone valued at \$58,489, used in connection with works of river and harbor improvement.

General ferry traffic: Five ferries carried 388,987 automobiles and vehicles.

Mr. McDUFFIE. Yes; I was just reading from that.

The CHAIRMAN. A question in my mind on those tables is this; what are your timber products classified under?

Mr. McDUFFIE. Wood and paper. Is there much current in that stream from Portland down to the mouth?

Mr. KORELL. There is quite a little current, and the current, I might say, has been quite a valuable agency in scouring out the channel. It is utilized for this purpose by the construction of wing dams along the river which narrow the channel and speed up the current thus scouring the bottom of the river at places where sand and gravel would accumulate.

Mr. McDUFFIE. Is the Columbia River very tortuous, with a lot of crooks in it, or bends or sharp turns, or is it an ordinary straight stream?

Mr. KORELL. This map on the wall will indicate to the committee the course and flow of the stream. You will see by the map that there are quite a number of bends.

Mr. MORGAN. They are not very sharp bends, are they? I rode up and down the river, and my recollection is that they are not very sharp.

Mr. KORELL. They are not particularly sharp, but you can see from that map that they are there.

The CHAIRMAN. You can get a better idea of that from the general map.

Mr. McDUFFIE. The general craft pass each other in a 300-foot channel; especially when the tide is running one way or another they might find it difficult to navigate.

The CHAIRMAN. What do you call it, General Deakne? Do you call it a fairly straight stream, or is it a stream that has more than the average number and sharper than the usual bends?

General DEAKNE. I would say it was a stream with fairly sharp bends compared to the Delaware River, for instance. Philadelphia is about the same distance from the sea as Portland. I think the Columbia has much sharper bends than the Delaware.

The CHAIRMAN. And more of them?

General DEAKNE. And more of them; yes.

The CHAIRMAN. Mr. Korell, let me ask you this: Here is a trade of which we have heard quite a little lately, in lumber and timber from the Pacific coast to points on the Gulf and on the Atlantic. Now, that, to be economical, will probably be carried in vessels which will go to the harbors and into the rivers on the Gulf on the Atlantic coast, and make straight delivery, we will say, from Portland to places like Albany, N. Y. What is the draft of vessels which are engaged now in that trade?

Mr. KORELL. They are the largest size vessel. They are vessels that carry passengers, in addition to tonnage, for a great part. We have one or more lines now that run from the port of Philadelphia on a regular schedule.

The CHAIRMAN. Mixed passengers and cargo or straight cargo?

Mr. KORELL. I think they take some passengers, but I wouldn't want to go on record as to that.

Mr. McDUFFIE. Is that the Luckenbach Line?

Mr. KORELL. No; that is the Columbia-Pacific (Quaker) Line. That line, or the same capital that just purchased 11 Government vessels to add to its fleet.

Mr. McDUFFIE. Coastwise or foreign trade?

Mr. KORELL. For both coastwise and foreign trade.

The CHAIRMAN. Well, now, which is growing more rapidly of your outbound traffic, your timber and lumber or your other exportable products?

Mr. KORELL. Our higher-value package freight. That is referred to here in the report as growing to such an extent that there is about \$609,000 a year lost because of the fact that all of that class of business has to be diverted by rail to other ports that can receive ships of an adequate draft and speed to handle that class of commerce. This excessive freight charge is an economic waste.

The CHAIRMAN. Well, isn't your greatest volume of tonnage for the future in your forests?

Mr. KORELL. There is a tremendous volume of tonnage there, but this area which is referred to as the Inland Empire and the back country which we drain produces wheat and agricultural products that increase in volume yearly. I call your attention to the fact that the value of that at the present time amounts to about \$700,000,000 a year.

The CHAIRMAN. We had testimony in the matter of Gulf ports. My recollection is that what we are giving them there is 27 feet, and they are sending redwood direct from the Pacific coast to the Gulf ports in, as I understand it, whole vessel loads. I assume that that will be true very soon of all the distributing centers on the Atlantic as well as on the Gulf.

Mr. KORELL. Of course, the chairman has in mind that redwood is a very light wood, much lighter, in fact, than the pine, spruce, and fir woods, and generally that class of woods that grow in our forests; and, further, that there is a squat or water depression when a vessel moves in fresh water that requires a deeper draft or deeper channel than when it is operating in salt water, which has more buoyancy. I don't

know whether I am correct in my figures, but I have been informed that it will draw from 1½ to 2 or 3 feet more, all depending, of course, on the size and speed of the ship, if it moves in clear water than when it is merely standing still or moving in salt water.

OTHER PORTS FAVOR PROJECT

The CHAIRMAN. We are looking in the East, I will say to you frankly, to getting our lumber from your coast in full cargo shipments, and we think that we will have to depend on it. It is a matter of necessity, and we think the cheapest way it can come is by water, and I see the need of the improvement of our waterways in the East in order to receive and distribute that lumber. We think the problem is a combined problem between the two coasts and the Gulf coast. It seems to me, with lumber being exhausted as it is in the South, and a supply that is inexhaustible on the Pacific coast, we on the Atlantic coast must look away up as far as Chicago, at least, to transportation by water and distribution by water of lumber.

In Detroit they are figuring they can save \$9 a thousand, at least, over the rail haul to Detroit by transportation by water.

Mr. MANSFIELD. That would go by the Erie Canal?

The CHAIRMAN. I don't know. We are going to need waterways for the distribution of that lumber, and all I am suggesting to these gentlemen on the Pacific coast is that you are just as much interested in providing waterways which will carry your lumber for distribution in the original cargo, the original vessel, to the great consuming centers in the North—and that is where it is, in the northeast part of this country—as you are in deepening the waters right on your own coast. It means just as much to you in dollars and cents. You are going to save just as much at the one end as you are at the other. You are going to get just half the benefit if, when you get to New York or Albany, you have to stop and can not distribute any farther.

Mr. HAWLEY. Mr. Chairman, we have always recognized that. We have supported projects on the Atlantic for that very purpose, marketing our lumber.

The CHAIRMAN. It seems to me we ought to recognize that fact. If you haven't anything more, Mr. KORELL, we will hear Congressman HAWLEY, and then we will hear General Deakne for a few minutes and adjourn.

Mr. HOUSTON. Mr. Chairman, there is just one thought that occurs to me. Have you any trans-Pacific trade out there?

Mr. KORELL. Yes; we have considerable.

Mr. HOUSTON. And what railroad facilities does the port afford?

Mr. KORELL. I mentioned in my statement that we have six lines that are feeding the port of Portland at the present time, and all of those railroads, I might say, run down grade through different sections of this basin, passing over the only water-level routes that exist out there.

FLOOD CONTROL

Mr. REID of Illinois. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill S. 3740, the flood control bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union, with Mr. LEHLBACH in the chair.

The CHAIRMAN. The Clerk will read the pending amendment.

The Clerk read as follows:

Page 4, strike out all of the paragraph beginning with the word "Just," in line 23, down to and including the word "paid," in line 12 on page 5, and insert the following:

"The United States shall provide flowage rights for destructive flood waters that will pass by reason of diversion from the main channel of the Mississippi River, and shall control, confine, and regulate such diversion."

The CHAIRMAN. The question is on the amendment.

Mr. TILSON. Mr. Chairman, I have an amendment to offer by way of a substitute.

The CHAIRMAN. The Clerk will report the amendment of the gentleman from Connecticut.

The Clerk read as follows:

Amendment by Mr. TILSON: Page 5, after line 12, strike out the pending amendment and insert as a substitute therefor the following: "Any property taken by the United States for the purpose of carrying out the terms of this act for which compensation is required by the Constitution of the United States shall be paid for by the United States."

Mr. TILSON. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes.

The CHAIRMAN. The gentleman from Connecticut asks unanimous consent to proceed for 10 minutes. Is there objection?

There was no objection.

Mr. TILSON. Mr. Chairman, as it will take me all of the time allotted to make my statement, I trust that Members will not interrupt me.

Mr. Chairman, I first wish to thank the members of the Flood Control Committee for the long, painstaking though strenuous efforts they have made in trying to bring to us a bill that will be acceptable. I also wish to thank those members of that committee who have met some of the rest of us in informal conferences for a fine spirit of cooperation and a willingness to help get as good a bill as possible. I wish to thank them for this spirit, because it is in such spirit I think we get the best legislation. Anything I may say here I hope will be considered in full accord with that spirit, for that is my only purpose in offering this amendment.

Mr. Chairman, local contribution is the accepted principle upon which this work has been done heretofore, and in that so-called stump speech that was incorporated in section 2 we reiterated that principle. But we proceed to deviate from it at once, and I think for good reasons, in order to meet the expense of doing the construction work.

There is one principle of local contribution, however, that I think should never under any circumstances be deviated from, which is that the land upon which the improvement is made, the ground upon which the levee works are constructed, should be furnished by the State or locality in which these works are situated. Mr. Chairman, to deviate from this policy might introduce a new principle into the liability that may arise by reason of anything that may occur after the completion of these works.

What is the problem here? It has been accepted in this bill that local authorities shall furnish the levee sites, even though they are new levees, for the main stem of the river. We come now to the question—and it is the crux of the whole question—who shall furnish the land for these flood ways. We ought to have an understanding as to what the flood ways are. In the first place the flood ways do not run over the mountains or the tops of ridges. They are for the most part natural flood ways where the water has been going down from time immemorial. We are simply making a plan by which along these natural flood ways the new flood hereafter is to be confined.

What is going to happen to the rest of the country? Outside of these levees there will be protection that these lands have never had. Inside of these levees—mark this—inside of the levees, unless there is a flood substantially equal to the 1927 flood, those who are inside between the new flood-way levees will be in just as good a situation as they have ever been. We are not going to pour destructive floods down these flood ways, except when there are such floods that would overflow the territory were there no additional levees there. Of course, if the river is confined in some other place the flood may be somewhat greater in volume after it tops the levee at the proposed height, but up to the time it tops the existing levee there is no water going down there that has not gone down there before. So we are not doing such a tremendous damage after all. We are, in fact, furnishing protected land behind the levees for a great reclamation scheme, and I hope it turns out so that they may have hundreds of thousands of acres there that have been valueless before but which will be highly valuable after this work is done. For one, I am glad that the lands there are owned by large corporations, because the same corporations that own the floor of the flood way will probably own on both sides of the levees, and if they do receive damages to the land in the flood way they will receive compensating benefits for the reclaimed land on either side.

Suppose a flood should come down these flood ways; it is not coming without notice. If, for instance, flocks are being grazed within the flood way, there will be plenty of time to remove them, and if anybody within the flood way continues to live in the little houses down through that part of the country they will have plenty of time to remove themselves and their belongings behind the levees. So that there is no danger of anybody being drowned by a sudden flood turned down through the spillways or flood ways.

But I must pass to the next point, because this is the nub of the question. The amendment of the gentleman from Illinois [Mr. REID] as offered yesterday and printed in the RECORD proposes that the United States shall provide lands for rights of way over which destructive flood waters shall pass by reason of the diversion from the main channel of the Mississippi, and for levees along such diversions, flood ways, and spillways, and any needed lands and easements—and this lets in the railroads again. Do not think for a moment that because we cut out section 4 that we cut the railroads out. They are in this amendment.

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. TILSON. Yes.

Mr. COX. The gentleman is reading the amendment that was proposed yesterday and was printed in the RECORD this morning, and not the one that was offered this morning.

Mr. TILSON. Yes; I am reading the one that is in the RECORD that the gentleman from Illinois [Mr. REID] offered yesterday.

Mr. COX. But that is not the amendment that was offered a few moments ago.

Mr. TILSON. I am at least showing what was originally proposed. As I understand the amendment that was just read from the Clerk's desk, it is that we shall simply buy the flowage rights in advance. Why should we buy flowage rights? Why should we not stand on the constitutional right which every citizen has to receive just compensation if his property is taken for a public use? In the amendment that I have offered it is stated, in effect, that in case private property is taken in the constitutional sense, the United States assumes the responsibility for it. How can anyone suffer if his constitutional rights are preserved and these are buttressed by an assumption of the obligation by the United States in case his property is taken within the meaning of the Constitution?

We have reached the crucial point in this bill. In my opinion, any provision for buying flowage rights, easements, or anything else relating to land, in advance that requires the United States to condemn or purchase something now that may not be needed for 10 or 12 years, or never, will be dangerous to the bill itself. I hope that we may arrive at a bill which will be acceptable and one that we need not be ashamed of hereafter, a bill that will not open the doors of the Treasury to raids upon it.

Mr. FREAR. Mr. Chairman, will the gentleman yield?

Mr. TILSON. Yes.

Mr. FREAR. And in addition to the question of flowage rights it requires the rights of way for the levees to be purchased by the Government, notwithstanding that the levee rights on the Mississippi River are to be furnished by the locality.

Mr. TILSON. In the pending amendment direct reference to rights of way is stricken out.

Mr. FREAR. No; it is in there. I leave that to the chairman.

Mr. TILSON. I am afraid the gentleman is correct and that the words "flowage rights" will include a lot of things. My point is just here: The amendment that I have offered gives everyone ample protection, as he is protected under the Constitution, and fixes the obligation of the United States for such damage as may accrue under the Constitution. Why should we not be satisfied with this? Why is it not enough to protect any citizen of the United States? I think it is, and that when we go beyond this and propose to buy lands, easements, or flowage rights in advance we enter upon dangerous ground. We should try to get away from the word "buy" if we can in this connection. There is danger in this bill if under it we start out to buy a lot of land, easements, or flowage rights, and since the Constitution takes care of the situation there is no necessity for affirmatively conferring different or additional rights to those guaranteed in the Constitution.

I hope my amendment will be accepted as it is, and, if accepted, then, in my judgment, it will be possible to iron out all of the other differences in this bill. So long as it requires the United States to buy lands, easements, or flowage rights I fear that the bill may fail to be acceptable to enough of us to finally pass it. [Applause.]

Mr. DENISON. And the gentleman's amendment merely gives the property owners their constitutional rights?

Mr. TILSON. And fixes the obligation to pay upon the United States. It does not attempt to unload upon any levee district or any State or anybody else, but provides that any compensation anyone is entitled to under the Constitution shall be paid by the United States.

Mr. REID of Illinois. Mr. Chairman, I told you the first day that we agreed to everything that the President's representatives said they wanted except turning destructive flood waters down upon innocent people, and I stand to-day reiterating that same proposition. The only relief provided by the amendment that the gentleman from Connecticut [Mr. TILSON] proposes would give to a man after his property has been destroyed by the destructive flood, or probably some of his kin have been drowned, would be to say to him, "You go to the United States courts, start a lawsuit, and at the end of 5 or 10 years, perhaps, you will be thrown out, and then you will be able to come to Congress and be sent to the Court of Claims, and after fussing around there for a year or two you will be

forgotten." If that is the kind of Government we have, then we better have a change in the form if not in the administration of it. You do not know what you do when you try to turn this water on the people and leave them to their constitutional rights. At the present time these are not natural flood ways.

Mr. TILSON. Is it not true that in time past there has been water running down from the channel and is running now?

Mr. REID of Illinois. The water running down from the channel now is not in a flood way. It does not come within your category. The spillway is through the New Madrid flood way. When you make them that, you are simply enlarging a place where the destructive waters go now. It is untrue.

Mr. TILSON. The New Madrid and the Bonnet Carre are not in this at all.

Mr. REID of Illinois. The amendment I have offered is to the effect that no water shall be turned from the main channel of the Mississippi River until the United States acquires the flowage rights, and when they do divert it from the main channel, they begin there and regulate it.

What can be fairer than that? The people of Louisiana and Missouri are not asking you to do that. Would you want it sent over your front yard? It is of no benefit to the people hundreds of miles away. Yet you turn this water down on them and say, "Go to the Constitution" as the ark of the covenant.

Mr. BURTNESS. Mr. Chairman, will the gentleman yield?

Mr. REID of Illinois. Yes.

Mr. BURTNESS. The flowage rights are stricken out?

Mr. REID of Illinois. Yes.

Mr. BLACK of New York. Mr. Chairman, will the gentleman yield?

Mr. REID of Illinois. Yes.

Mr. BLACK of New York. In cases where you condemn the flowage rights it would be considered whether the water had passed over that area before in assessing the damages?

Mr. REID of Illinois. Yes. If there was water running through there now it would not be of any value. Yet the gentleman from Connecticut says they are trying to get money for the flood way now. That is not correct.

Mr. MOORE of Virginia. Mr. Chairman, will the gentleman yield?

Mr. REID of Illinois. Yes.

Mr. MOORE of Virginia. Is not this the difference between the amendment offered by the gentleman from Connecticut and your amendment: That you provide that when the Government acquires the flowage rights the Government shall then pay for them, while the amendment of the gentleman from Connecticut provides that the persons affected may secure compensation by legal proceedings if they can?

Mr. REID of Illinois. We are not going to turn the water down on those people if the flowage rights are furnished—turn the water down on those innocent and helpless people. That is the iniquity of the proposition.

Mr. MOORE of Virginia. The Government is to take the flowage rights, and the people affected are to do the best they can to secure compensation?

Mr. REID of Illinois. Yes. General Jadwin said he would turn the water down on those people and let them take their chances.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. COX. Mr. Chairman and members of the committee, I desire to make a brief explanation of the amendment that has been offered by the chairman of the committee, and also to make reply to the argument of the gentleman proposing an amendment to the amendment.

I invite your careful attention to the amendment that the gentleman from Illinois has proposed. You will find from reading it that it does not undertake to commit the Government to purchase a single foot of land in any of the diversion ways or flood ways. It does not propose, and does not mean, that the Government shall acquire flowage rights for all of the land within the flood ways. It simply means that where the turning in of this additional water inundating land not heretofore subject to overflow, the Government shall acquire flowage rights thereto.

Mr. GRIFFIN. Mr. Chairman, will the gentleman yield at that point?

Mr. COX. Yes.

Mr. GRIFFIN. Is there any way of approximating the comparative value of the flowage rights, as you designate them, and the actual purchase in fee simple of the bed of the diversion?

Mr. COX. I am not in a position to state to the gentleman the difference in the cost of flowage rights and the actual title to the land.

Mr. GRIFFIN. If the gentleman will permit me—

Mr. COX. Will not the gentleman ask me that question a little later on?

Mr. GRIFFIN. To keep to the context I would like to ask it at this point. The purchase of flowage rights in advance would amount to an agreement between the Government and the owners that the Government might have the permission to turn the stream into the bed, between the levees into the channel area?

Mr. COX. I do not understand that there is any question as to the right of the Government to turn the water in. The amendment simply proposes that when the land is flooded that has not heretofore been subject to flood, the Government may acquire flowage rights.

Mr. GRIFFIN. You refer the effect of the flowage rights on the land and the value to be determined?

Mr. COX. Yes. Gentlemen, allow me to call your attention to the amendment proposed by the gentleman from Connecticut [Mr. TILSON] to the amendment offered by the gentleman from Illinois [Mr. REID]. His position is that the Government ought not to be required to acquire any interest in the flood ways except that which may be made necessary as the result of the actual taking of the land. Let me say to you, gentlemen, that amendment does not mean that if the Government turns water into these flood ways and floods land which has not been heretofore subject to the waters there is any obligation on the Government to make compensation.

I want to say to you, my colleagues, that the whole question revolves around the meaning of the word "taking." The courts have held time and time again—

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. COX. Mr. Chairman, may I have 10 minutes more?

The CHAIRMAN. In there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. COX. The Supreme Court held in the case of Bedford against the United States that—

Damages to lands by flooding as the result of revetments erected by the United States along the banks of the Mississippi River to prevent erosion of the banks from natural causes are consequential and do not constitute a taking of the land flooded within the meaning of the fifth amendment to the Federal Constitution.

That is the case of Bedford v. United States (192 U. S. 217). In another case the court held that—

No action will lie for damages consequent upon the erection of public improvements, although the result of such erection may impair the value of property by rendering ingress and egress thereto more difficult. It is axiomatic that private rights are always subservient to the public good.

To constitute a taking of private property such as is inhibited by the fifth amendment unless just compensation is made, it must be shown that the owner thereof has been wholly deprived of the use of same. If it has been merely injured or its use impaired, there is no taking such as is contemplated by said amendment.

Mr. LAGUARDIA. What is the citation?

Mr. COX. That is Transportation Co. v. United States (99 U. S. 635). Again, in Mills v. United States (46 Fed. 738), the court said:

No action can be maintained against the United States to recover damages in the nature of a trespass, whether proximate or consequential, because such action would sound in tort, and therefore without the jurisdiction of the court.

Where the Government of the United States by the construction of a dam, or other public works, so floods lands belonging to an individual as to totally destroy its value, there is a taking of private property within the scope of the fifth amendment.

That is United States v. Lynath (188 U. S. 445).

Permanent overflow is a "taking" within the meaning of the constitutional provision.

A destruction of private property for public purposes may as well be a taking as would be an appropriation for the same end.

Now, here is the meaning of this amendment: The Government may come in and turn all of these waters into these flood ways, which will result in damage to the owner of the property, and yet because the lands are not perpetually flooded and therefore their value not totally destroyed, there is no taking on the part of the Government within the meaning of the fifth amendment.

Mr. SNELL. Will the gentleman yield?

Mr. COX. Yes.

Mr. SNELL. I am not a lawyer, and I do not understand all of this, but I can understand some things. Is it the gentleman's

position that if the Federal Government turns the water in here that then it would not be liable for damages under the provisions of the Constitution?

Mr. COX. No, sir; it would not be liable for damages. That is the fixed and settled law, and no one familiar with the rulings of the Supreme Court will contend to the contrary. In other words, under this amendment the Government might, through the turning in of these flood waters, in a period of 5 or 10 years do tremendous damage to the property affected as a result of the flood; and yet under the Constitution there is no taking of the land, and therefore no right of action on the part of the owner as against the Government.

Now, as to the amendment proposed by the gentleman from Illinois, the amendment that the gentleman from Illinois offers simply means this: That where lands are flooded the Government shall provide flowage rights thereto, and that is all it means. The amendment does not propose that the Government shall buy a foot of land except—

The CHAIRMAN. The time of the gentleman from Georgia has again expired.

Mr. COX. Mr. Chairman, I ask unanimous consent to proceed for three additional minutes.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent to proceed for three additional minutes. Is there objection?

There was no objection.

Mr. COX. Except such lands the value of which is perpetually destroyed by the Government, and that simply means that the Government does not commit itself by this proposal to buy anything except the land for levee rights of way. There may be a difference of opinion as between many of you and myself as to that, but I take the position that the construction of a levee will constitute a taking in the sense that the value of the property will be totally and permanently destroyed and, therefore, under the law there will be a necessity on the part of the Government to pay for it. And that is the same meaning of the Tilson amendment. If the Tilson amendment is passed, the Government is only required to pay for that which it takes, and under his amendment, though he contends to the contrary, as I understand it, there would be a taking of the rights of way for levees and, therefore, an obligation upon the Government to pay.

Mr. BURTNESSE. Will the gentleman yield?

Mr. COX. Yes.

Mr. BURTNESSE. Can the gentleman give us any estimate at all as to what the flowage rights will be worth as compared with the actual value of the land?

Mr. COX. I am sorry I can not.

Mr. BURTNESSE. Will they be worth one-third or one-half more?

Mr. COX. I am sorry I can not give the gentleman that information.

Mr. BRITTEN. Would not that depend entirely on the local conditions?

Mr. COX. Of course.

Mr. BLACK of New York. Will the gentleman yield?

Mr. COX. Yes.

Mr. BLACK of New York. Does the gentleman understand from the decisions he has just read that there could be any damage to an owner, part of whose property was taken, for consequential damages to the remainder of the land?

Mr. COX. There might be, and the courts have so held, but in this case the Reid amendment is a fair proposal. It is a liberal concession on the part of the committee and is an effort on the part of the committee to meet the objections urged to the section as it was originally drawn, which we all concede was bad and should not be legislated into law.

Mr. SNELL. Will the gentleman yield?

Mr. COX. Yes.

Mr. SNELL. Then does the gentleman understand it will be necessary for the Federal Government to provide these flowage rights under the amendment offered by the gentleman from Illinois?

Mr. COX. It would never be necessary for the Federal Government to provide flowage rights until it had been determined that it would be necessary to have such rights.

Mr. SNELL. Then, it is not necessary that they procure those rights immediately?

Mr. COX. No, sir; and the Reid amendment does not mean that the Government must procure rights to all of the property within the flood ways. There is a lot of territory that is included within these rights of way along the flood ways that will not be flooded.

Mr. SNELL. And no one knows how much of that land we would need?

Mr. COX. No one knows.

The CHAIRMAN. The time of the gentleman from Georgia has again expired.

Mr. FREAR. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. FREAR. Mr. Chairman, ladies, and gentlemen of the committee, there ought to be no difference between us personally and we ought to be willing to extend to every one who is here and who speaks on the subject the same courtesy, and I am sure you are so disposed. I do not think there is any disposition to misrepresent, but I wish to explain to you, gentlemen, the situation in which you find yourselves by the presentation of this (Reid) amendment at the last moment.

Yesterday you had another amendment to substitute on this section; to-day this amendment comes in, and a good lawyer tells you what the law is in his judgment. He is prepared with authorities. Are you going to pass upon that now, when in ordinary court proceedings you would ask that both sides be presented and the law discussed?

This is a clever amendment, as clever as anything can be offered, as clever as sending this bill over to the Senate and letting them bring it back with a unanimous report in order to influence the House.

This is an amendment to require the United States to purchase all the flowage rights. The question has been asked by my friend the gentleman from Illinois [Mr. BRITTEN] and others, What will the flowage rights be? Suppose you owned land down there, what would you be willing to do? You would say, "I am going to have all I can get." This would be natural. What will this amendment do? You say, "I will not sell the flowage rights; you can condemn them," and then you have got your local jury just the same. If the Government wants to buy the property and it asks how much it will be, it will be told, "Buy my property at my price. You can not compel me to take less."

You have the very same proposition here you have had throughout the bill. This is not a question of ownership of land, because the United States is to transfer back, under the old proposition, to the States whatever land title it has.

In addition, under this Reid amendment, while you have provided in the bill that the rights of the levees on the main river are to be purchased by the localities, you will not get these rights in this case on the flood ways as you will on the main river. The Government has got to pay for the levee rights under this amendment and also the flowage rights which may make up the full value of the property.

"The United States shall provide flowage rights for destructive floods that will pass by reason of diversion from the main channel of the Mississippi River and shall control, confine, and regulate such streams." This is the language proposed, and the chairman of the committee says, "Are you going to throw these waters down there through the flood way to drown these people?" Yes; that is what you are going to do unless they get away. Do not mistake that. There is not a particle of distinction whether you buy the flowage rights, whether you condemn them, or whether you leave them to their rights of action, so far as drowning the people is concerned. The flood ways will be dangerous places in time of great floods. They are to be used for that purpose.

These diversions are for the purpose of allowing the waters to escape down the flood way, and no one is going to drown, because they will have plenty of time to get behind the levees if they so desire, and they are living there with full knowledge of the danger in time of floods.

The purpose of the amendment is to require the Government to bring action against 7,500 people who are the owners of the property or else the Government has got to buy flowage rights, which does not make any difference in principle or expense.

Mr. COX. The gentleman assumes by that statement that they are all robbers.

Mr. FREAR. Simply because you have got to buy the property they are not robbers. Who is going to give it? No man is going to give it if he owns the property unless it should be some one like my distinguished friend, who, like myself, would possibly be generous.

Mr. WILLIAM E. HULL. Will the gentleman yield?

Mr. FREAR. Not for just a moment. When one man interrupts a speaker it is the nature of all of us to want to jump in with inquiries, but let me continue with my statement, please.

Seven thousand five hundred owners are to be sued by the Government unless they pay the money or unless they agree to give transfers otherwise. Is not that right?

The measure of damages no man can tell. It may be \$100,000,000 or it may be \$200,000,000 or over. If we accept the

authority of Mr. Blake, who says much of the land is worth \$100 an acre, it may cost the full amount of \$200,000,000.

Mr. COX. I am sure it is not the judgment of the gentleman that the land is worth anything like \$100, or \$20 an acre for flowage rights.

Mr. FREAR. I do not want to interrupt the gentleman, but I do not care to yield any more.

The situation is just this, gentlemen: Under this amendment, which has been offered by the chairman at this last moment without any thought of presenting it to any of us yesterday, it is not in the nature of a compromise, because it does not compromise one single thing in the purchase of land but takes in the whole proposition. The Government does not want this land, and it is exactly the same proposition you have had before you throughout.

Now, are you going to accept it? You are shrewd enough to see into this proposal, just as well as my clever friend, and I do not blame him if he can get it through as an amendment; but, as I have stated, this will require lawsuits against every landowner unless you can buy these rights, and you are sure to have such a situation.

Now, this is the same objection that has been urged in the past.

The gentleman from Connecticut [Mr. TILSON], who is the Republican leader, has another proposition, the administration proposal we are supporting, and remember that this water has overflowed through these flood ways before—not all the time; but it is an old flood way, all of them necessarily are, and it is to be used now for this diversion maybe not over once in 10 years. No man can tell what the damages are going to be now, but if he has any damage he can proceed against the Government. My friend says he has looked up the law and has the decisions here. The Attorney General, as I understand it, wrote this provision. I will be corrected by the leader [Mr. TILSON] if I am wrong. The Attorney General wrote that provision, did he not?

Mr. TILSON. I understand the Attorney General passed on it.

Mr. COX. I know the gentleman who offered it will agree with me on my interpretation.

Mr. FREAR. Now, Mr. Chairman, with all due deference to the able gentleman from Georgia—and he is able—I will accept at this time for the protection of the Government the opinion of the Attorney General of the United States in such an important matter.

Now, if there are no damages, as the gentleman from Georgia says, that can be collected against the Government of the United States, I say they ought to have damages. I agree with him in that. He says it is a question of law. I do not want to put the question as a matter of law; but if they do have damages, I am willing to support any provision in subsequent legislation to give them an immediate right to show their damages in court, so that they may collect such damages without delay. I do not care how you do it. I do not want them to be delayed. But at this time on the single and unsupported statement of one lawyer against another, I say it is a dangerous thing to give away all the Government's rights without knowing where we stand.

That is practically all that I wish to present.

Mr. COX. Will the gentleman yield now?

Mr. FREAR. I will.

Mr. COX. May I ask the gentleman if he understands the amendment to be contrary to the statement I made?

Mr. FREAR. The measure drawn by the Attorney General—as I understand the law, and I may be mistaken, and so may the gentleman from Georgia—that in case of unusual damage different from what they have suffered in the past they can bring their claims against the United States and the Government is responsible.

Mr. COX. The gentleman does not mean to say that the Attorney General has rendered any such opinion?

Mr. FREAR. No; this measure, as I understand, was drawn by the Attorney General. Why do you wish to purchase flood rights without knowing what the rights are and what the expense will be?

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. REID of Illinois. Mr. Chairman, I ask unanimous consent that all debate upon this amendment and the amendment thereto close in 10 minutes.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that all debate upon the pending amendments close in 10 minutes. Is there objection?

Mr. TILSON. Mr. Chairman, reserving the right to object, this is a crucial point in the bill, and does not the gentleman

think that it would be well to allow a little more debate upon the amendments?

Mr. REID of Illinois. I am willing to grant that. If anybody wants to speak upon it say so, and I will extend the time.

Mr. FULBRIGHT. Mr. Chairman, reserving the right to object, I happen to represent the district in southeastern Missouri that is affected by the flood way that is under discussion. I have tried to get recognition time after time.

Mr. REID of Illinois. How much time does the gentleman want on this amendment?

Mr. FULBRIGHT. I want 10 minutes.

Mr. REID of Illinois. Very well, Mr. Chairman; I modify my request and ask unanimous consent that all debate upon this amendment and the amendment to it close in 30 minutes.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that all debate upon the pending amendments close in 30 minutes. Is there objection?

There was no objection.

Mr. DEMPSEY. Mr. Chairman, both amendments proposed in this case will protect the rights of the property owners. The only question involved is whether the Government will be protected. The Attorney General has passed upon the amendment presented by the gentleman from Connecticut [Mr. TILSON], and holds that the property owner will have a right of recovery under the amendment. So as to that amendment we have the property owner protected. It is clear that under the other amendment the property owner would also be protected. Let us take the two methods of protection and see whether the Government is protected under both. Under the methods proposed by the gentleman from Illinois [Mr. REID], we attempt to fix for all time the damage caused by the flowage rights. Is it possible to do that? Do we not enter upon a realm of infinite speculation? The times when the floods come, the frequency of recurrence of floods, the extent of the floods, are all involved in that question. Can you in any way settle that question with fair definiteness, so as to determine the amount of damages sustained by the property owner? Of course, you can not. Of course, that is utterly impossible. Of course, it is a mere matter of speculation and guess upon every one of these questions as to how often the floods will come, what the magnitude of the floods will be, and what the extent of the damage suffered by the property owner will be. Are you going to guess? Every man who is a lawyer, who has ever had any experience in condemnations, knows that you guess in favor of the property owner to the extent of at least five to ten times the value of the actual damage. I have acquired a right of way for a railroad, and I know what the result is, and every lawyer here will agree with me.

Let us take the other side. Let us suppose for a moment what is not the case, that the property owner is not protected, and he does not have, as the gentleman from Georgia [Mr. Cox] says he has not, the right to come here for damages. Is not all this discussion upon the basis that the property owner shall be reimbursed for the actual damage that he sustained? Is there any doubt that if an amendment is needed to the law to give that actual effect, that the Congress will be ready to send him to the courts to determine what the actual damage is that he has sustained? Should he have any more damage than he has actually sustained? You can not in advance estimate, you can not do anything except guess what the damage will be, but, when once the damage has been sustained, you will know what it is, and the property owner will be held down to at least approximately what the actual damage has been. Is not the property owner fully, fairly, adequately, and completely protected by that method, and will not that be certain and definite?

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. FULBRIGHT. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. FULBRIGHT. Mr. Chairman, ladies and gentlemen of the committee, in the first place, I want to vouch for the honor of the citizenship of Missouri, and I resent the reflections that have been made on the integrity of the citizens of southeast Missouri. There are not in the State of Missouri, so far as I know, or anywhere else in the alluvial valley of the Mississippi, any bands of hijackers or marauders who are seeking to fleece the Government and make a raid upon the Treasury. We have a great question confronting us. Southeastern Missouri has felt the effects of a calamity such as she has never experienced before. In addition to the Mississippi deluge, the St. Francis Basin nine times in succession in 1927 was overflowed. In that section of the State there has been cre-

ated one of the greatest drainage systems in the United States if not in the world. The people of this community have obligated themselves in excess of \$50,000,000 in the construction of this drainage system, and they can not bear additional burdens. The amendment offered by the gentleman from Connecticut [Mr. TILSON] would deny to those people the right to any damages that the Government might cause as a result of attempting to control the flood waters of the Mississippi River through the New Madrid flood way. What is the situation? These canals that have been dug at great expense to southeastern Missouri will be obstructed by the so-called New Madrid flood way. This flood way is not provided for the purpose of protecting southeast Missouri. The damage sustained to southeast Missouri would be in excess of the benefits received as a result of this flood way, and you seek to make the people of southeast Missouri bear the burden of a project that is intended to protect some other section of the Mississippi Valley. It is unfair, it is unjust, and the people of my district will never submit to that kind of a proposition.

Not only that, but the lands proposed to be taken for a flood way in southeast Missouri are not waste lands, as some gentlemen would infer. They include some of the best farm lands in the Mississippi Valley; lands which have been in cultivation perhaps for a hundred years, owned by small landowners, not by lumber companies or timber speculators. Sixty per cent of this land is owned by small farmers who have invested the savings of a lifetime in these improvements. This is the land you undertake to make into a flood way in southeast Missouri.

Mr. LA GUARDIA. Mr. Chairman, will the gentleman yield there?

Mr. FULBRIGHT. Yes.

Mr. LA GUARDIA. It has been conceded all the way through that that land is very valuable and highly cultivated land.

Mr. FULBRIGHT. That is not true with respect to all of it, but it is true of southeast Missouri.

Mr. LA GUARDIA. We concede that.

Mr. FULBRIGHT. But you want to take that land without the payment of a dollar to the people who own it and make it into a flood way. I say the people of the United States are not in favor of that kind of practice.

Mr. WILLIAMSON. Mr. Chairman, will the gentleman yield?

Mr. FULBRIGHT. Yes.

Mr. WILLIAMSON. My understanding of this proposed flood way is that the flood way will never be used at any time except when the water goes over the levees that would be built. It might not be used more than once in 10 or 15 years.

Mr. FULBRIGHT. In one county alone more than 1,000 homes and other buildings were destroyed or damaged by the 1927 flood; 1,000 homes damaged or washed away.

Mr. NELSON of Missouri. Mr. Chairman, will the gentleman yield?

Mr. FULBRIGHT. Yes.

Mr. NELSON of Missouri. In answer to the statement of the gentleman from South Dakota [Mr. WILLIAMSON], may I say it is proposed to cut down the present levee 5 feet and build another levee 5 miles back. This would result in flooding the lands intervening.

Mr. FULBRIGHT. We constructed in southeast Missouri a drainage system that has cost the people an enormous amount of money. The Federal Government has not contributed to that project. Engineers tell me that if this flood-way project goes through, it will cost the drainage districts in this flood-way section from one to five million dollars. A great per cent of New Madrid County and Mississippi County would be included in the new flood way.

This is valuable property. We are not asking for a flood way. We are not asking to sell any land or sell anything. We are not making prices on our property. I am told by competent engineers—by practically every engineer I have talked with, and whom I have heard express themselves on this matter, except General Jadwin—that the proposed new flood way is not a protection to Cairo, and some other method should be adopted by which Cairo would be protected. But the men who attempt to amend this bill undertake to take from southeast Missouri perhaps 200,000 acres of valuable farm lands for a flood way, not for our benefit but for the protection of Cairo, and ask us to pay the damage. We resent that action. We are opposed to it.

I want to say, in the language of the gentleman from Illinois [Mr. MADDEN] yesterday, when he said he would finally vote against the flood bill if certain amendments were not in it, if you undertake to take from southeast Missouri these valuable lands without contribution, I will vote against the proposition, and I voice the sentiment of the people of my district.

We want flood control. We are interested in it. We want to see Cairo protected. We want to see Illinois protected. We want to see the entire Mississippi Valley protected. We do not believe, ladies and gentlemen, that this Congress is going to place the expense upon the people in southeast Missouri who derive no benefit but suffer damage.

That is not all. In the recent flood there was a loss or damage to the people in southeast Missouri, as estimated by the Flood Control Commission, of approximately \$8,000,000. As I stated a moment ago, over a thousand buildings were destroyed or materially damaged in one county in the district, and in another over 400 buildings were destroyed. The crops were destroyed, and the \$8,000,000 of damages that was estimated does not include the damage to the lands in that section of Missouri.

The problem that exists between Illinois and Missouri is a problem that can not be settled between the States. It is a Federal problem, the burden of which the Federal Government should bear. And do you know, ladies and gentlemen, that after this great flood had taken place in 1927 the eminent men of this country pledged themselves to a comprehensive flood program that would protect us from another such flood as we experienced in 1927. But as the time elapsed they have grown cold. Mr. Hoover, in whom the people of the Mississippi Valley placed the greatest confidence and hope, when it came to the time when he was put to the test he straddled the fence, and we do not know where he is to-day. [Applause.] I am not intimidated by threats of a veto. If this House, the people's forum, has become impotent under the withering blasts of threats and coercion, then Bunker Hill and Yorktown were empty victories, and the blood of the Revolution was spilled in vain. [Applause.]

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. FULBRIGHT. I ask unanimous consent for three minutes longer.

The CHAIRMAN. The time has been fixed.

Mr. LA GUARDIA. Mr. Chairman, I agree with the gentleman from Missouri in his objections to the engineering provisions of this bill. But I do not agree with the gentleman from Georgia [Mr. Cox] in his opinion as to the effect of the Tilson amendment. The gentleman from Georgia speaks of damages incidental to Government work; in other words, where the property damage was not in contemplation of the project.

But the bill here provides for a comprehensive plan of flood control, and any property found within the path of a flood way or a spillway in this comprehensive plan would naturally come within the purview of the constitutional provision as to property rights. So that the cases cited by the gentleman from Georgia are not in point.

Mr. REID of Illinois. Will the gentleman yield?

Mr. LA GUARDIA. I have only a few minutes, but I will yield if the gentleman will get me more time.

Mr. REID of Illinois. I will get the gentleman more time. I know he wants to be right. Is there a single phrase in the bill which says it is the duty of the Government to pass water safely from Cape Girardeau to the Gulf of Mexico through flood-control works?

Mr. LA GUARDIA. The bill provides for a comprehensive plan, as submitted by the engineers.

Mr. REID of Illinois. Will the gentleman answer the question?

Mr. LA GUARDIA. I will come to it. In this comprehensive plan you have certain flood ways and spillways definitely mapped out. Now, any property in that spillway or flood way path would be entitled to just compensation under the Tilson amendment and under existing law. In the case of Monongahela Navigation Co. against United States, reported in One hundred and forty-eighth New York, the court said, speaking about the taking of property by the Government under eminent domain and where Congress sought to limit the value of the property by excluding the franchise value:

The question presented is not whether the United States has the power to condemn and appropriate this property of the Monongahela Co., for that is conceded, but how much it must pay as compensation therefor.

Then, it goes on to say:

But we need not have recourse to this natural equity, nor is it necessary to look through the Constitution to the affirmations lying behind it in the Declaration of Independence, for, in this fifth amendment, there is stated the exact limitation on the power of the Government to take private property for public uses.

In the case of United States against Great Falls Manufacturing Co., reported in One hundred and twelfth United States, it was held that any property taken by the Government for public use implies the duty of the Government to pay for it.

Such an implication—

Says the syllabus—

being consistent with the constitutional duty of the Government, as well as with common justice, the owner's claim for compensation is one arising out of implied contract.

So that the difficulty suggested by the gentleman from Illinois as to leaving these people with an indefinite remedy and undecided as to what tribunal they should resort to is fully decided in the case of the Great Falls Manufacturing Co., reported in One hundred and twelfth United States. They can treat it as a contract, and they can go directly to the Court of Claims if they so desire.

In the case of United States against Jones, reported in One hundred and ninth United States, it was held that—

there is no reason why the compensation to be made may not be ascertained by any appropriate tribunal capable of estimating the value of the property. There is nothing in the nature of the matter to be determined which calls for the establishment of any special tribunal by the appropriating power.

So that any property that is in direct danger or imminent danger which lies within the path of the spillway or flood way would be fully protected under the provisions of the Tilson amendment.

Mr. REID of Illinois. Will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. REID of Illinois. The United States Supreme Court, in the case of Jackson against United States, held just the opposite from the statement made by the gentleman from New York. That was a case where they built a levee 1 mile back of another man's house and left it within the confines of the flood way, and in that case the court held that he had no right of action and could get no damages.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. LAGUARDIA. The gentleman from Illinois promised to get me additional time.

Mr. REID of Illinois. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for five additional minutes.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the gentleman from New York may proceed for five additional minutes. Is there objection?

There was no objection.

Mr. LAGUARDIA. Now, Mr. Chairman, in the case cited by the gentleman from Illinois, I repeat that the damage was incidental and unexpected. It was not within the contemplation of the project itself, and I say for the third or fourth time that in the case of the bill we are now considering you have a certain definite and specific proposition mapped out in a comprehensive flood relief plan, and that comes clearly within all of the decisions I have cited. And let me say to the gentleman from Illinois that I was not citing my views of the law; I was citing from decisions of the Supreme Court.

Mr. COX. But the gentleman from New York puts an erroneous construction on the decisions referred to.

Mr. FREAR. Will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. FREAR. I want to ask the gentleman if it is proper, in a state of confusion and disagreement of this kind on the law, that we should adopt a plan of this kind, which may mean \$100,000,000 or \$200,000,000 in cost to the Government?

Mr. REID of Illinois. Or leave 100,000 people to drown and their heirs go to the courts under such confusion.

Mr. FREAR. They will be drowned under either proposition, as we all know.

Mr. LAGUARDIA. I will say to the gentleman from Illinois and the gentleman from Louisiana, who, I think, suggested that under the Tilson amendment the people would have to run out and look for lawyers, under your plan the lawyers would go out and look for the people.

Mr. REID of Illinois. They would if they were from New York.

Mr. LAGUARDIA. And they will be. I am trying to protect the people of Mississippi Valley from the confidence men of Broadway and the tin horns of Chicago. I said that yesterday.

Mr. BLACK of New York. Will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. BLACK of New York. Will the gentleman tell us just what the Reid amendment adds to the rights of property owners as defined by the gentleman in those decisions?

Mr. LAGUARDIA. It broadens the scope, if anything, and will throw the doors wide open.

Mr. MOORE of Virginia. Tell us exactly how that will be done?

Mr. LAGUARDIA. Certainly. You provide specifically for payment or compensation way beyond any direct, actual, and definite damages.

Mr. MOORE of Virginia. Be a little specific and tell us how and how far beyond.

Mr. LAGUARDIA. Why, in this way: You now have your property fully protected under existing law as laid down in a long line of decisions. If there is anything that is protected in this country, and no one knows this better than the gentleman from Virginia, who is a great defender of human rights, it is property. Property is fully protected under the Constitution. You need not add anything to this law to do that, but by writing a specific provision into this law you are going far beyond the law as laid down in these decisions, generous as the decisions have always been to a property right, and you provide for a system of condemnation and local commissioners inviting the opportunity for excessive awards of damages in cases where there may be no actual damages sustained.

Mr. MOORE of Virginia. Yes; but my friend has not told me yet how we throw the doors wider open than the Constitution and the statute which is cited in this section.

Mr. LAGUARDIA. You provide for the condemnation of all this property; you provide for the appointment of local commissioners; and there is no limit to what you can condemn under local influence, under the specific provisions of the bill; while under existing law you must make out a case of material property damage actually sustained, or they are not entitled to compensation.

Mr. MOORE of Virginia. Let me go one step further, and I may say to the gentleman I am talking without any preconception, but am trying to get at the case we have before us. This section itself says nothing about the Constitution, but, of course, we assume that the Constitution will be observed, but it does say that the provisions of sections 5 and 6 of the river and harbor act of July 18, 1918, shall apply.

Mr. LAGUARDIA. Yes.

Mr. MOORE of Virginia. Under that act, unless the Government is able to agree with the landowner in respect of the acquisition of any interest in the land, the flowage rights or otherwise, then there shall be a resort by the Government to condemnation and the Government has the right to take possession of the property at once.

Mr. LAGUARDIA. Then if that is so, why does the gentleman object to the Tilson amendment going into the bill, in lieu of the specific provisions reported by the committee?

Mr. MOORE of Virginia. I will say to the gentleman I am not trying to do anything more than get at his view.

Mr. WILSON of Mississippi. Mr. Chairman, I am not surprised at the argument of the gentleman from New York. The argument of the gentleman from Wisconsin [Mr. FREAR] has many times nauseated me upon this floor, full of inaccuracies and errors.

Mr. FREAR. Will the gentleman point out in what respect?

Mr. WILSON of Mississippi. Oh, yes; talking about land being worth \$100 an acre in the valley.

Mr. FREAR. That was the testimony before the committee.

Mr. LAGUARDIA. The gentleman from Missouri [Mr. FULBRIGHT] just said so.

Mr. FULBRIGHT. I beg the gentleman's pardon. The gentleman from Missouri did not make any such statement.

Mr. WILSON of Mississippi. Wait a minute. That is just another inaccurate statement from the side opposing adequate flood-control legislation, and the other gentleman, the one from Iowa, who has sought safety in flight, Mr. Kopp, stated upon this floor not long ago that it was the duty of these people never to have gone to the Mississippi Valley if they did not want to assume this responsibility. Why, the gentleman from Iowa [Mr. Kopp] made the argument upon the floor of this House that the people who went into the Mississippi Valley to reclaim that rich domain knew the dangers incident to the occupancy of the valley, and to use a term of the lawyers, they assumed the risk and ought to abide by the consequences.

The gentleman from Wisconsin [Mr. FREAR] has just said in his argument here in reference to this amendment that the people ought to get away from the levees and get behind them. That argument would not dignify a gentleman in the Dark Ages of the past—

Mr. FREAR. Will the gentleman—

Mr. WILSON of Mississippi. I refuse to yield; sit down.

Mr. FREAR. That was for the protection of human life.

Mr. WILSON of Mississippi. Sit down. That argument would not have dignified a Member of Congress, if there had

been such a governmental organization in the Dark Ages of the past, when one man had no regard or respect for the rights of his fellow citizens.

What do you want to do under this amendment? You want to put a further and an additional responsibility upon the back of our already burdened people in the Mississippi Valley.

Here is a river that we can not build a bridge across without the Nation's consent. You can not float a boat upon its waters without the Nation's consent. You can do nothing in reference to it, because the United States Government says in times when there is no flood, "It is my property and my river."

You have marines down in Nicaragua, whether rightfully or wrongfully, to do what? To protect, you say, the lives and property of American citizens. When there has not been a dollar's worth of property endangered or a human life sacrificed until the marines got there. You have already sacrificed the lives of 24 of these American boys and spent \$1,600,000 of the taxpayers' money. You never asked the cost when you sent them. You have them to-day in China, so you say, trying to protect American lives and American property. You had a move in the Sixty-second Congress initiated by the Hon. Herbert Hoover that culminated in taking \$70,000,000 out of the Treasury of the United States, sending it as a free-will offering to the famine-stricken people of Russia—more than you ever contributed here in all the history of this great country to the people of the Mississippi Valley to save their property and their lives in your own country. [Applause.]

My people have already spent approximately \$300,000,000 in an effort to protect themselves against the Government property—the Mississippi River, owned, and should be controlled by this great Government of ours. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Connecticut as a substitute for the amendment of the gentleman from Illinois [Mr. REID].

The question was taken; and on a division (demanded by Mr. TILSON) there were 76 ayes and 119 noes.

So the amendment was rejected.

The CHAIRMAN. The question now is on the amendment of the gentleman from Illinois [Mr. REID].

The question was taken, and the amendment was agreed to.

The CHAIRMAN. The Clerk will report the next amendment.

The Clerk read as follows:

Page 6, line 10, strike out the words "local interests" and insert in lieu thereof "levee districts."

The amendment was agreed to.

Mr. BLACK of New York. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amendment by Mr. BLACK of New York: Page 5, line 23, after the word "final," insert "but in no case shall the damages exceed the market value of such property as of the date of this act, and as if the United States were not to undertake any comprehensive plan of flood relief."

"No awards shall be paid to any person taking title to affected property after the passage of this act, except through a judgment of a court of competent jurisdiction nor to assignees of anticipated awards."

"The Secretary of War shall employ such experts and engineers as to him may seem necessary in the conduct of such condemnation proceedings and benefit proceedings as are provided by this act."

Mr. BLACK of New York. Mr. Chairman and gentlemen of the committee, we all understand that in nearly all efforts at public improvements there is always liable to be a little larceny; there is always somebody willing to take advantage of the public. But that of itself is not sufficient reason against public improvements. There is a probability in this public work, as in all others, that there may be somebody around who will be low-minded enough to defraud the Government. Of course, there are a great number of general penal statutes that will take care of this after they have been caught. I propose by this amendment to try and protect the Government in the beginning. I realize that we should undertake the flood-control plans even though there may be some collateral fraud.

A large part of the agitation against this great work has been due to the fact that some think that in the condemnation proceedings the Government will have to pay extravagant prices. By this amendment I fix a rule of evidence. I say that the value of the property taken shall be the market value as of the date of the passage of this act, and, further to guard against high speculative damages, I say that when the property is taken its value must be considered as if the Government

never thought of putting through any comprehensive flood-relief plan. Lawyers who know anything about condemnation work understand that in measuring the value of property you can take into contemplation any potential utilization of that property. I want this amended so that a man whose property is taken by this plan can not say to the court that if the plan was shifted his property would be three times as valuable. That is the reason I want it understood that the property shall be taken as if there was no great Federal project for a comprehensive flood control.

Mr. DEMPSEY. The gentleman's amendment does not provide anything in respect to rights of way or easements. The gentleman provides only for the title.

Mr. BLACK of New York. The easement would be dependent upon the value of the greater right, the title.

Mr. DEMPSEY. But the gentleman could provide for that in his amendment.

Mr. BLACK of New York. Then, again, I provide that no award shall be paid to anybody who takes title after the passage of this act, or prior to the improvement, nor shall there be awards made to any assignee of awards. That is to meet the objection that comes from the gentleman from New York, [Mr. LAGUARDIA]. He anticipates there will be speculation down there. That happens at every great contemplated public improvement where there are immense parcels of land taken. This would protect the Government against these speculators, by refusing to acknowledge assignments, by refusing to acknowledge titles taken after the passage of the act. Moreover, this would discourage any kind of rigging of the real-estate market after the passage of this act. Titles would not be passing to and fro with the idea of building up a false measure of value, due to sales immediately prior to the improvement. Further, we have done nothing here in this extraordinary proposition to give the Secretary of War competent real-estate experts and engineering help to carry on these improvements.

Generally speaking, I am in favor of this bill. I feel this way about it. At the time of the flood all the country wanted to help the flood sufferers. We all realized that nature is the enemy of the United States in this respect, and not only of the people immediately affected. We can effect no treaty with nature. People of the Mississippi Valley, the people of the interior, of the West, contribute to the Navy, contribute to the East coast and the West coast fortifications, which are for the immediate protection of us who live on the coasts. Nature is just as dangerous an enemy in the case of the Mississippi as any foreign foe may happen to be, and you can effect no treaty with nature. We all understand from the White House to this House, and everywhere else, that this is a national project, and we must treat it as such; but at the same time I think that in the conduct of this proceeding we ought to see to it that those who are not public-minded, that those who would defraud the Government, are discouraged by the bill itself from going into these speculative processes that some of us have in mind, by the adoption of amendments such as I have suggested. [Applause.]

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. REID of Illinois. Mr. Chairman, the intent may be all right in this amendment, but the way it is worded and the place at which it is to be put into the bill will destroy all of the safeguards the distinguished leaders on this side of the House have tried to keep in the bill. Under the law at the present time, of course, benefits are to be considered. Under this amendment you would have to consider benefits before the improvement was thought of. Consequently benefits would not be taken into consideration. Of course, you could not violate the Constitution and the law and prohibit anybody from being an assignee to any rights, and prevent any payment to that person. It is inconsistent with my idea of ordinary law. As for the Secretary of War needing experts, we have a lot of experts now that know everything about every subject under the sun. It is not necessary to provide in this bill for any new experts, because up to date every question that we have been able to think of in regard to flood control has been answered by the War Department.

Mr. DEMPSEY. Is not the chief objection to the amendment that it deals with titles, and that titles are practically not involved at all, that it is a question of easements and rights?

Mr. REID of Illinois. That may be the chief objection.

Mr. LAGUARDIA. And, of course, as to the matter of benefits, that comes in the measure of damages under the general condemnation law.

Mr. REID of Illinois. That is all. Mr. Chairman, I ask for a vote.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from New York.

The amendment was rejected.

Mr. LAGUARDIA. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amendment offered by Mr. LAGUARDIA: Page 5, in line 23, strike out the period after the word "final" and insert the following: "If such award does not exceed 50 per cent of the amount for which said land was locally assessed on January 1, 1928, but if in excess of such an amount the Secretary of War shall submit to Congress a report containing the findings of facts and law of such award, together with all details on which said award is based" and in line 24, after the word "price" insert the following: "Not exceeding 40 per cent of the amount for which said land was locally assessed on January 1, 1928," and strike out the word "for" on line 24 and all of line 25 and on page 6, on line 1, strike out the words "reasonable he" and insert in lieu thereof the words "Secretary of War," so that the same will read, "when the owner of any land, easement, or right of way shall fix a price not exceeding 40 per cent of the amount for which said land was locally assessed on January 1, 1928, the Secretary of War may purchase the same at such price."

Mr. LAGUARDIA. Mr. Chairman, my amendment simply does this. The bill provides that the Secretary of War may purchase at private sale if he deems the price reasonable.

My amendment would limit the Secretary of War to private sale where he can obtain the land as of the assessed valuation of January 1, 1928, plus 40 per cent. That is as to private sale. Now, as to condemnation, gentlemen are familiar with the law laid down in the Monongahela case. We can not limit the price. In that case Congress sought to eliminate the franchise value of the company whose property was taken, and the Supreme Court held that Congress could not do that. I therefore provide that the award on condemnation, if it exceeds the assessed valuation of January 1, 1928, plus 50 per cent, it is not final. When it exceeds the assessed valuation, plus 50 per cent, the Secretary of War submits the findings of facts and law, together with the details on which the findings were based, to Congress. That would put the line upon all these proceedings so that it would be very difficult for excessive awards to be made under the control provided in my amendment. If we should provide that an award should not be beyond a certain amount, under the law as it is to-day it would be declared unconstitutional.

Mr. LOZIER. Does the gentleman know that in my own State they do not have full assessments of property and make up the decreased value by the rate? In States where they have a 40 per cent valuation your amendment would limit the power to purchase to the assessed valuation plus 40 per cent?

Mr. LAGUARDIA. Of the value of the land.

Mr. LOZIER. That would be manifestly unjust in those jurisdictions where they do not have a 100 per cent valuation for assessment purposes, but make up the revenue by increasing the rate, having a high rate or percentage of tax on a low valuation.

Mr. LAGUARDIA. In my city, where we have a tax limit, we naturally raise the assessed value. Will the gentleman offer an amendment to my amendment making it 100 per cent? I will accept it.

Mr. LOZIER. No; because under the law this body can not legislatively limit the amount of assessment that may be taken as damage. The only effect of the amendment of the gentleman from New York is to limit and place the Government in a strait-jacket and prevent it from going beyond a limit.

Mr. LAGUARDIA. My amendment as to private sale does that, but private sale, of course, contemplates agreement on the part of both parties, so that the contention of the gentleman from Missouri does not apply to my amendment.

The other does not limit the Government in any way. It simply requires that before the award is final it shall be submitted to Congress. The gentleman from Illinois has constantly appealed for the weak and needy down in the Mississippi Valley. I want to protect the weak and the needy, and my amendment would give protection to the weak and needy and protect the Government against the wicked and the greedy. [Applause.]

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the Chairman announced that the noes appeared to have it.

Mr. LAGUARDIA. Mr. Chairman, I ask for a division.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 54, noes 76.

So the amendment was rejected.

Mr. BLACK of New York. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BLACK of New York: Page 6, line 1, after the word "price," insert "and such price may be used as evidence in condemnation proceedings affecting similar property."

Mr. BLACK of New York. Mr. Chairman and gentlemen, I am friendly to this legislation and I realize that the great run of men who will be connected with the project are honest, but it has been suggested that there are some who will take advantage of the situation, and I am trying to make this bill as burglar proof as possible. The best evidence available as to the value of the properties affected will be the price paid by the Government to the private owners at these arranged sales, and I would not want to see any judge hold that this price, this best test of the market value, must be ruled out for any technical reason, on the theory that to a certain extent the sale is a forced sale. All I want to do by this amendment is to have the Government offer in evidence, if it cares to do so, as to the value of any property taken the price which the Government paid at private sale to another property owner holding and owning similar property. As I say, it is absolutely the best test of the value; it is nearest to the time of the taking, it is under the best conditions, and no court should be allowed to rule it out as evidence.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from New York [Mr. BLACK].

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from New York [Mr. LAGUARDIA].

The Clerk read as follows:

Amendment offered by Mr. LAGUARDIA: Page 5, in line 23, strike out the period after the word "final" and insert the following: "If such award does not exceed the amount for which said land was locally assessed on January 1, 1928, plus 100 per cent, but if in excess of such an amount the Secretary of War shall submit to Congress a report containing the findings of facts and law of such award, together with all details on which said award is based"; and in line 24, after the word "price," insert the following: "Not exceeding the amount for which said land was locally assessed on January 1, 1928, plus 80 per cent," and strike out the word "for" on line 24 and all of line 25; and on page 6, on line 1, strike out the words "reasonable he," and insert in lieu thereof the words "Secretary of War," so that same will read, "when the owner of any land, easement, or right of way shall fix a price of the amount for which said land was locally assessed on January 1, 1928, plus 80 per cent, the Secretary of War may purchase the same at such price."

Mr. SCHAFER. Mr. Chairman—

The CHAIRMAN. For what purpose does the gentleman from Wisconsin rise?

Mr. SCHAFER. Mr. Chairman, I rise in favor of the amendment.

The CHAIRMAN. The gentleman from Wisconsin is recognized for five minutes.

Mr. SCHAFER. Mr. Chairman, I believe this amendment more clearly safeguards the pending bill than the one which I suggested yesterday. If we adopt this amendment, we will send word to the country that this Congress has prevented unwarranted raids on the Treasury. The interests of the property holders are safeguarded under this amendment and at the same time the limitations will prevent excessive and unjustifiable payments to those who might desire to raid the Treasury. However, I am frank to say that the speculators who hope to profit excessively by the passage and enactment of this flood relief bill will not look with favor upon this limitation.

If this amendment is adopted I shall be glad to vote for the pending bill as amended. If the amendment is not adopted, I shall be very happy indeed to vote against the bill with a sincere hope that the President of the United States, with whom I do not always agree, will veto it if it goes to him in the form as passed by the House.

This is a very comprehensive, fair, and proper amendment and should be supported particularly by those from the valley States who have been so vehement in their assurances that there is no pork in the bill.

Mr. COOPER of Wisconsin. Will the gentleman yield?

Mr. SCHAFER. Yes.

Mr. COOPER of Wisconsin. Does the amendment specifically provide that there shall not be more paid than the assessed value plus 80 per cent?

Mr. LAGUARDIA. Eighty per cent on private sales and 100 per cent under condemnation.

Mr. COOPER of Wisconsin. That seems to be fair.

Mr. ALLGOOD. Mr. Chairman—

The CHAIRMAN. For what purpose does the gentleman from Alabama rise?

Mr. ALLGOOD. For the purpose of opposing the amendment. The CHAIRMAN. The gentleman from Alabama is recognized for five minutes.

Mr. ALLGOOD. Mr. Chairman and gentlemen, it seems to me this is a very unfair amendment. It is based upon the 1928 assessment. Just think, gentlemen, what happened in the Mississippi Valley in 1927, think of the millions of dollars of improvements that were washed away and were not placed in the 1928 assessment, and then to ask these people to take the 1928 tax valuation, or even a 100 per cent increase, is wholly unfair to them. It seems to me to be very unfair, and I think those who have put this amendment forward did not think of this feature of it. I have just risen for the purpose of recalling to your mind what took place in the Mississippi Valley in 1927—the destruction of life and property beggar description.

Mr. McSWAIN. Will the gentleman yield?

Mr. ALLGOOD. Yes.

Mr. McSWAIN. Will it render the amendment less obnoxious if the date is fixed as January 1, 1927, or January 1, 1926?

Mr. ALLGOOD. It would make it less obnoxious.

Mr. LAGUARDIA. I will accept that.

Mr. McSWAIN. The gentleman from Alabama says the amendment as proposed is unfair because of the depreciated value of the property in the Mississippi Valley.

Mr. LAGUARDIA. Mr. Chairman, I ask unanimous consent to change my amendment; and wherever it reads "January 1, 1928," make it read "January 1, 1926."

The CHAIRMAN. The gentleman from New York asks unanimous consent to modify his amendment in the manner indicated. Is there objection?

There was no objection.

Mr. FULBRIGHT. Will the gentleman yield?

Mr. ALLGOOD. Yes.

Mr. FULBRIGHT. I want to make this suggestion to the gentleman from Alabama who has just spoken, that in south-east Missouri the values of the land in the territory affected by the flood, for the purpose of assessment, were reduced by the State authorities from the very fact that they had sustained such a terrible damage in 1927. In many instances the taxes have been reduced on lands in southeastern Missouri as a result of these floods more than 25 per cent, and in some cases as high as 40 per cent of the value.

Mr. ALLGOOD. The Governor of the State of Louisiana called the legislature in extraordinary session last fall before the taxes became due for the purpose of relieving the taxpayers in that State where their properties had been destroyed or damaged by the floods.

Mr. REID of Illinois. Mr. Chairman, I rise to oppose the amendment for a number of reasons. The basis is not fair and it is not based upon the mover's knowledge of any assessment value in any of the States involved. I am sure the gentleman would not undertake to have the Government buy \$20 land and only pay \$18, under an illustration that might be seen from the face of it.

But here is the worst part of the amendment. The gentleman wants them to report back to Congress before the Secretary of War buys a piece of property. This is the bad part of the amendment. The amendment provides that if the price is in excess of a price based on the gentleman's amendment, the Secretary of War shall submit to Congress a report containing the findings of fact and law of such award, together with all details on which said award is based.

Mr. LAGUARDIA. That is in the case of condemnation proceedings.

Mr. REID of Illinois. Yes; so that every case you have in court they are going to send to Congress, and we are going to be like the House of Lords of England, where every lawsuit they can not settle satisfactorily to themselves in the lower courts they bring to the House of Lords. They are going to provide for that procedure here. I should not, perhaps, object to that, because I could learn a lot more law than I have learned here to-day.

Mr. LAGUARDIA. Perhaps, the opponents of the bill likewise.

Mr. REID of Illinois. Yes; that is a good idea.

I do not think the amendment is fair, and I think it would endanger the proposition.

Mr. WINGO and Mr. WHITTINGTON rose.

Mr. REID of Illinois. I yield first to the gentleman from Arkansas.

Mr. WINGO. Take the last provision of the amendment which provides for an assessed valuation plus 80 per cent, and

I want my friend from Wisconsin to notice this: We will take one State that has a 50 per cent assessment and taking a tract of land worth \$20 it would be assessed at \$10 an acre. This amendment says the Secretary can pay only the assessed value plus 80 per cent, which would be \$18 for land that is admittedly worth at least \$20. Of course, the Secretary of War would be barred from buying any of that land, because he would be paying \$2 less than the man admits it is worth for taxation purposes, which certainly is not an exorbitant price when it is to his interest to have it assessed as low as possible.

Mr. LAGUARDIA and Mr. DEMPSEY rose.

Mr. REID of Illinois. I yield to the gentleman from Mississippi [Mr. WHITTINGTON] after the gentleman from Arkansas [Mr. WINGO] is through.

Mr. WINGO. Let me finish this statement, if the gentleman will permit. If the gentleman from New York is familiar with tax decisions he will know that there is more than one State where the courts have held that it will take judicial knowledge of the fact that the assessed value is a certain percentage. In one State I know of, which is not in the Mississippi Valley, it is 33½ per cent and in another one 20 per cent. There is one State in the Mississippi Valley where the Supreme Court has said it will take judicial knowledge of the fact that the assessed value of the property does not exceed 50 per cent of the actual value. Of course, under the gentleman's amendment, they could not buy that land at all.

Mr. WHITTINGTON. I should like to ask the chairman of the committee a question. Is it not true, Mr. Chairman, that the condemnation provision in the bill here is substantially the language of every condemnation statute for the condemnation of property for rivers and harbors, post offices, and for public works that has been written for the last 100 years?

Mr. REID of Illinois. That is right.

Mr. WHITTINGTON. Is it not also true that the proposed amendment would change the rules of law that have heretofore obtained for condemnation proceedings?

Mr. REID of Illinois. Yes; that is quite true.

Mr. MOORE of Virginia. Let me ask the gentleman this question, if the gentleman will permit.

Mr. REID of Illinois. Certainly.

Mr. MOORE of Virginia. Suppose this amendment should be adopted, what is Congress going to do with these reports that come in here?

Mr. REID of Illinois. The gentleman from New York [Mr. LAGUARDIA] and I are going to look them over. [Laughter.]

Mr. MOORE of Virginia. Does not the gentleman think there would be a flooding of Congress as well as a flooding of the Mississippi River Valley?

Mr. REID of Illinois. There is no question about that.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The question was taken; and on a division (demanded by Mr. SCHAFER) there were—ayes 11, noes 83.

So the amendment was rejected.

The Clerk read as follows:

SEC. 6. In an emergency, funds appropriated under authority of this act may be expended for the prosecution of such works for the control of the floods of the Mississippi River as have heretofore been authorized and are not included in the present project; or for the maintenance of any levee when it is demonstrated to the satisfaction of the Secretary of War that the levee can not be adequately maintained by local interests.

The CHAIRMAN. The gentleman from Illinois [Mr. REID] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. REID of Illinois: Page 6, line 22, strike out the words "in an emergency, funds" and insert in lieu thereof the word "Funds."

Page 6, line 23, after the word "of," insert the words "section 1 of."

The amendment was agreed to.

The CHAIRMAN. The gentleman from Illinois offers another amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. REID of Illinois: Page 7, line 1, after the word "project," change the semicolon to a comma, strike out the rest of the section, and insert in lieu thereof the following: "including levee work on the Mississippi River between Rock Island, Ill., and Cape Girardeau, Mo., and on the outlets and tributaries of the Mississippi River between Rock Island and Head of Passes, in so far as such outlets or tributaries are affected by the backwaters of the Mississippi: Provided, That for such work on tributaries the States or levee districts shall provide rights of way without cost to the United States, contribute 33½ per cent of the cost of the works, and maintain them after

completion: *And provided further*, That not more than \$10,000,000 of the sums authorized in section 1 of this act shall be expended under the provisions of this section."

The amendment was agreed to.

The CHAIRMAN. The Clerk will report the next amendment.

The Clerk read as follows:

Page 7, after the amendment proposed to be inserted at the end of section 6, add a new paragraph, as follows:

"In an emergency, funds appropriated under authority of section 1 of this act may be expended for the maintenance of any levee when it is demonstrated to the satisfaction of the Secretary of War that the levee can not be adequately maintained by the State or levee district."

The amendment was agreed to.

The Clerk, proceeding with the reading of the bill, read as follows:

SEC. 7. That the sum of \$5,000,000 is authorized to be appropriated as an emergency fund to be allotted by the Secretary of War on the recommendation of the Chief of Engineers, in rescue work or in the repair or maintenance of any flood-control work on any tributaries of the Mississippi River below Cape Girardeau, Mo., threatened or destroyed by flood.

The Clerk read the following committee amendment:

Page 7, line 10, after the word "river," strike out the words "below Cape Girardeau, Mo."

Mr. FREAR. I would like to ask the gentleman from Illinois what the purpose of this amendment is?

Mr. REID of Illinois. It was called to the attention of the committee by the gentleman from Arkansas [Mr. RAGON] that during the last flood it was impossible to get an engineer down there to do the work.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

Mr. HASTINGS. Mr. Chairman, I want to call attention to the words "an emergency." In the previous section the word "emergency" was stricken out. Does not the gentleman think this word "emergency" should be stricken out and "a" inserted?

Mr. REID of Illinois. I do not think so.

Mr. RAGON. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amendment by Mr. RAGON: Page 7, line 11, after the word "flood," strike out the period and insert the words "including the flood of 1927."

Mr. RAGON. Mr. Chairman, I do not think there is a man in the House that will object to the amendment I have offered. As I have said on the flood before, I think the district that I represent suffered the greatest amount of permanent irreparable damage by the flood of 1927. The Arkansas River Valley region from Muskogee, Okla., to Pine Bluff, Ark., will not come in the bill you are about to perfect except in this section and in the surveys. The Arkansas River practically ruined that valley last year—one of the richest valleys in our State. The Arkansas River is a navigable stream. Therefore we are precluded from doing anything in the way of obstruction that does not meet the approval of the War Department.

After the overflow had passed away I was called to a little city in my district. Just below there is an area of 50,000 acres of the richest bottom land you can find anywhere.

The river had made great inroads in that rich bottom land, cut out the banks of the river for a distance of a quarter of a mile as perfectly as you could have done it with a steam shovel.

One of the most pathetic sights I ever saw were these farmers, without any engineering experience, trying to build a levee. They had four or five teams, and each team was attached to a railroad slip. They were trying to build up a little levee, and they had it 3 or 4 feet high. One of the men who had it in charge asked if I could not do something toward getting an engineer there who knew his business and who would advise them how to protect their homes and farms.

I went back and wired General Jadwin. He was out of the city, but turned it over to General Deakyne, who referred it back to the Mississippi River Commission. Then Colonel Potter wired me that they did not have an engineer and they did not have a dollar which they could send there and help these people in these dire circumstances.

There they were—thrown wide open to the inroads of every bank-full rise in the Arkansas River.

Now, I have taken up the section that the Flood Control Committee put in the bill. I have taken it up personally with

General Jadwin; and while it may be possible that he could furnish engineers and do a little revetment work on the Arkansas River under the present section, he thinks it would be better to make the intention well known and write in the bill "including the flood of 1927."

I have had appeals from three different sections asking the Army engineers to come there on that river and make investigations with reference to the river caving its banks and injuring the levees they have constructed.

Mr. JACOBSTEIN. Mr. Chairman, will the gentleman yield?

Mr. RAGON. Yes.

Mr. JACOBSTEIN. Is it the gentleman's thought that the language of the committee bill would restrict the use of the money to floods in the future, and not to repair works on account of floods in the past?

Mr. RAGON. I rather think so. The situation is this: The Army engineers went down there, and in one place they said, "We can not do anything with this, although something should be done. The reason we can not do anything with it is because we have not any jurisdiction on this section of the river for the purpose of flood control." They said that they could go in there and handle it from the standpoint of navigation, but that there was no feature of navigation involved, and so when you give them this authority they will be in a position where they can go in there and stop the caving of those banks that eats into the levees which would open the river on from 30,000 to 40,000 acres of land. This is true in several different places in the Arkansas River Valley between Fort Smith and Pine Bluff.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arkansas.

The amendment was agreed to.

The Clerk read as follows:

SEC. 8. The project herein authorized shall be prosecuted by the Mississippi River Commission under the direction of the Secretary of War and supervision of the Chief of Engineers and subject to the provisions of this act. It shall perform such functions and through such agencies as they shall designate after consultation and discussion with the president of the commission. For all other purposes the existing laws governing the constitution and activities of the commission shall remain unchanged. The commission shall make inspection trips of such frequency and duration as will enable it to acquire first-hand information as to conditions and problems germane to the matter of flood control within the area of its jurisdiction; and on such trips of inspection ample opportunity for hearings and suggestions shall be afforded persons affected by or interested in such problems. The president of the commission shall be the executive officer thereof and shall have the qualifications now prescribed by law for the Assistant Chief of Engineers, shall have the title brigadier general, Corps of Engineers, and shall have the rank, pay, and allowances of a brigadier general while actually assigned to such duty: *Provided*, That the present incumbent of the office may be appointed a brigadier general of the Army, retired, and shall be eligible for the position of president of the commission if recalled to active service by the President under the provisions of existing law.

With the following committee amendment:

Page 8, after line 11, insert:

"The salary of the president of the Mississippi River Commission shall hereafter be \$10,000 per annum, and the salary of the other members of the commission shall hereafter be \$7,500 per annum. The official salary of any officer appointed or employed under this act shall be deducted from the amount of salary or compensation provided by or which shall be fixed under the terms of this act."

With the following amendment offered by Mr. REID of Illinois to the committee amendment:

Page 8, line 15, after the word "officer," insert the words "of the United States Army or other branch of the Government."

The CHAIRMAN. The question is on agreeing to the amendment of the gentleman from Illinois to the committee amendment.

The amendment was agreed to.

The CHAIRMAN. The question now is on the committee amendment as amended.

The committee amendment was agreed to.

The Clerk read as follows:

SEC. 9. The creation of any material obstruction not affirmatively authorized by Congress to the flood-discharge capacity of such portion of the alluvial valley of the Mississippi River below Cape Girardeau as is embraced in the project adopted by section 1 of this act is hereby prohibited, and it shall not be lawful to build or commence the building of any levee or other structure in said portion of the alluvial valley or in any flood way therein that will materially affect the flood flow in said alluvial valley or in any flood way therein unless the work

has been recommended by the Chief of Engineers and authorized by the Secretary of War. Any person or corporation who shall violate any provision of this section is guilty of a misdemeanor, and on conviction shall be punished by a fine not exceeding \$2,500 nor less than \$500 or by imprisonment (in the case of a natural person) not exceeding one year, or by both such punishments, in the discretion of the court; and the removal of any structures, or parts of structures, erected in violation of this section may be enforced by injunction or other process in the district court of the United States in the district in which such structures may exist, and proceedings to this end may be instituted under the direction of the Attorney General. The provisions of section 17 of the river and harbor act of March 3, 1899, are hereby made applicable to this section.

With the following committee amendment:

Page 8, line 19, after the words "Sec. 9," strike out all of the balance of that page, and all down to and including the words "Attorney General," on page 9, line 15.

The CHAIRMAN. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

On page 9, line 18, strike out the word "section" and insert the word "act."

The CHAIRMAN. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the amendments offered by the gentleman from Illinois.

The Clerk read as follows:

Amendments by Mr. REID: Page 9, line 16, strike out the word "section" and insert in lieu thereof the word and figures "sections 13, 14, 16, and"; page 9, line 17, after the word "to," insert the words "all lands, waters, easements, and other property and rights acquired or constructed under the provisions of."

The CHAIRMAN. The question is on agreeing to the amendments offered by the gentleman from Illinois.

The amendments were agreed to.

The Clerk read as follows:

SEC. 10. That it is the sense of Congress that the surveys of the Mississippi River and its tributaries, authorized pursuant to House Document No. 308, Sixty-ninth Congress, first session, be prosecuted as speedily as practicable, and the Secretary of War, through the Corps of Engineers, United States Army, is directed to prepare and submit to Congress at the earliest practicable date projects for flood control on all tributary streams (including such of their main tributaries as may be deemed necessary) of the Mississippi River system subject to destructive floods: *Provided*, That before transmitting such reports to Congress the same shall be presented to the board created in section 1 of this act, and its conclusions and recommendations thereon shall be transmitted to Congress by the Secretary of War with his report.

With the following committee amendments:

Page 9, line 21, after the word "to," insert the words "the act of January 21, 1927."

Page 10, line 2, after the word "stream," strike out "(including such of their main tributaries as may be deemed necessary)."

Page 10, line 4, after the word "flood," insert "which projects shall include: The Red River and tributaries, the Yazoo River and tributaries, the White River and tributaries, the St. Francis River and tributaries, the Arkansas River and tributaries, the Ohio River and tributaries, the Missouri River and tributaries, and the Illinois River and tributaries."

Page 10, after line 13, insert the following:

"The sum of \$5,000,000 is hereby authorized to be used out of the appropriation herein authorized, in addition to amounts authorized in the river and harbor act of January 21, 1927, to be expended under the direction of the Secretary of War and the supervision of the Chief of Engineers for the preparation of the flood-control projects authorized in this section."

The CHAIRMAN. The question is on agreeing to the committee amendments.

Mr. FREAR. Mr. Chairman, I move to strike out the last word for the purpose of making a brief statement which I think the House is entitled to at this time, in respect to the character of the motion to recommit, which I shall offer if I am recognized as one of the committee. It will be the bill that was offered by Mr. TILSON, the leader on the Republican side, excepting that I shall strike out the provision which was defeated yesterday, offered by the gentleman from Illinois [Mr. MADDEN]. That

related to the New Madrid and the Bonnet Carre propositions. That is stricken out. Otherwise it will be the Tilson proposition which will be read from the desk at that time. I do this in advance so that all the Members will understand what the motion to recommit includes.

Mr. NEWTON. Did I understand the gentleman to say that in the motion to recommit there will be included the proposition which was submitted by the gentleman from Illinois [Mr. MADDEN]?

Mr. FREAR. No; that will be eliminated, but all of the other sections will relate to the position taken by the gentleman from Connecticut [Mr. TILSON] as to what is understood to be the agreement with the Attorney General, and that will be the motion that will be offered.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The CHAIRMAN. The gentleman from Illinois has offered an amendment, which the Clerk will report.

The Clerk read as follows:

Page 10, line 9, after the word "tributaries," change the colon to a semicolon and insert the following: "and the reports thereon, in addition to the surveys provided by said House Document 308, Sixty-ninth Congress, first session, shall include the effects on the subject of further flood control of the lower Mississippi River to be attained through the control of the flood waters in the drainage basin of the tributaries by the establishment of a reservoir system; the benefits that will accrue to navigation and agriculture from the prevention of erosion and siltage entering the stream; a determination of the capacity of the soils of the district to receive and hold waters from such reservoirs; the prospective income from the disposal of reservoir waters; the extent to which reservoir waters may be made available for public and private uses; and inquiry as to the return flow of waters placed in the soils from reservoirs; and as to their stabilizing effect on stream flow as a means of preventing erosion, siltage, and improving navigation."

The CHAIRMAN. The question is on agreeing to the committee amendment.

Mr. RAGON. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Arkansas moves to strike out the last word.

Mr. RAGON. The first part of this section, as you have completed it, provides for flood projects on these different tributaries. Now, is it the committee's idea that these flood projects should be held back until after they have made surveys of the power potentialities, soil analysis, and the reclamation features of this bill, or is it the idea of this committee that these flood-control surveys shall progress independently, and that they will bring in the flood-control projects whether these other surveys are completed or not?

Mr. REID of Illinois. I am not doubtful about it.

Mr. RAGON. I do not believe you intend to have any such idea.

Mr. REID of Illinois. I do not have, and I do not intend to have.

Mr. RAGON. General Jadwin has suggested that perhaps these surveys under the House document mentioned here might require as long as five years, and in some cases 10 years.

Mr. REID of Illinois. It is intended that they shall have five years' protection, and in the meantime that the surveys will be expedited.

Mr. RAGON. Surveys for the flood projects?

Mr. REID of Illinois. For all the flood projects enumerated.

Mr. RAGON. Then it is your purpose, and the purpose of the committee, not to have them report on a flood project before they shall have a report on these other projects in the House document?

Mr. REID of Illinois. The committee's amendment contemplates flood-control projects authorized by this section, which takes in all the Mississippi Valley.

Mr. RAGON. Then I take it that the purpose of the committee is to develop these flood-control projects and bring them in at the earliest possible moment?

Mr. REID of Illinois. What the committee proposes and my notion is that as fast as one survey is completed it should be brought in here and acted upon by Congress. That is my idea.

Mr. RAGON. On the Arkansas it would delay a flood project for five years, if you awaited a report on the other projects.

Mr. REID of Illinois. Everyone has confidence in the President and in the Secretary of War and the engineers.

Mr. RAGON. I think the understanding that we have here ought to help the engineers in carrying out the provisions of the section.

Mr. REID of Illinois. I think the work should go on as fast as possible, and if you put in too many details you delay the progress.

Mr. RAGON. I am keeping details out of it. I would make it strictly a flood-control proposition.

Mr. SHALLENBERGER. So far as this particular point is concerned, this survey has no relation whatever to matters of reservoirs?

Mr. REID of Illinois. Oh, yes.

Mr. SHALLENBERGER. I can not find the word "reservoir" in it.

Mr. REID of Illinois. It is there.

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. COOPER of Wisconsin. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from Wisconsin is recognized.

Mr. COOPER of Wisconsin. The amendment contains no reference, apparently no provision, for surveys to determine the possible development of power.

Mr. REID of Illinois. That is provided for in the act of January 21, 1927, referring to power. But this is to expedite the flood control part of the act of January 21, 1927.

Mr. COOPER of Wisconsin. I was interested to learn why everything in the way of survey as to possible power was eliminated.

Mr. REID of Illinois. The act of January 21, 1927, was a power survey act.

Mr. COOPER of Wisconsin. In a great many printed statements that I have read it was suggested that the power interests would not permit a proposition to be enacted for surveys with a view to possible power development.

Mr. REID of Illinois. Nobody has tried to influence the committee in any way in regard to that.

Mr. COOPER of Wisconsin. There has been such a change here and such a careful elimination of reference to possible power development that to me it would look as though possibly some of these accusations were true. Otherwise why this careful omission of everything about power?

Mr. SINCLAIR. Mr. Chairman, will the gentleman yield?

Mr. COOPER of Wisconsin. Yes.

Mr. SINCLAIR. There is a sentence in the amendment which can be construed to mean that it would cover power surveys.

Mr. COOPER of Wisconsin. Will the gentleman read it?

Mr. SINCLAIR. It is in line 21, page 12 of the bill that I have here. It says:

The prospective income from the disposal of such waters including both agriculture and power; they shall inquire as to the return flow value of waters placed in the soils from reservoirs, as to their stabilizing effect on stream flow as a means of preventing erosion and silting and improving navigation conditions, and shall determine to what extent reservoir waters may be available for municipal and domestic uses and to what extent reimbursive.

It is assumed that that would cover all propositions of reservoirs for power.

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. BLACK of Texas. Mr. Chairman, may we have the amendment read again?

The CHAIRMAN. Without objection, the amendment will again be read.

The amendment was again read.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will report the next amendment offered by the gentleman from Illinois.

The Clerk read as follows:

Page 10, line 15, after the word "authorized," insert the words "in section 1 of this act."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. HOWARD of Oklahoma. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Oklahoma offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. HOWARD of Oklahoma: Line 20, page 10, after the word "section" insert "Provided further, That the flood surveys herein provided for shall be made simultaneously with the flood control on the Mississippi River provided for in this act, and if

said surveys made on these tributaries shall disclose any flood-control project which in the judgment of the commission here provided for will be effective in controlling or assisting in controlling the floods on the Mississippi River, the said commission is hereby empowered, with the approval of the President, to include such flood-control projects as a part of the work of controlling floods on the Mississippi River, and there is hereby made available for such purpose or purposes any part of the moneys for flood control on the Mississippi River authorized to be appropriated by this act."

Mr. HOWARD of Oklahoma. Mr. Chairman and gentlemen of the committee, we of the tributaries appreciate very much the section that has been placed in this bill relating to them. We believe it is the most important section in this bill, and I am seeking by my amendment to make this section available, if the commission and the President of the United States shall find them of benefit to the entire people of the Nation.

Now, Mr. Chairman and gentlemen of the committee, there are many of us who yet believe that the control of the tributaries by reservoirs would be the economical and best means of controlling the Mississippi. All the way through the evidence before the Flood Control Committee has run the information that not only would reservoirs be economical but that they will do what is required.

Only yesterday you were shown here that reservoirs on these rivers would have reduced the flood in the Mississippi 17 feet last year and had the flood been reduced in the Mississippi 17 feet you would not have had the flood you are now attempting to take care of. Not only that, Mr. Chairman and gentlemen of the committee, but I am only trying to do in this amendment what we did yesterday when the suggestion of the chairman of this committee was adopted, as found on page 2, line 16, whereby we put it into the power of the President of the United States to select the plans that had been offered by either Jadwin or the Mississippi River Commission. Now, I am by this amendment simply offering the President and that commission another way and another plan to wholly or partly solve this problem, if the commission, in its judgment, reports such a plan to the President and the President approves of that plan. We are not appropriating another cent; we are not mentioning reservoirs in this amendment; we are simply broadening this act in order to give the President the opportunity, if he sees fit, to build a reservoir here or yonder and, perhaps, cut out some expensive spillways.

I want to say to my friends on the Democratic side of the House, if I may, that we hear it said the President may veto this bill if my amendment goes in; they have said that about every amendment that has been put into this bill, but we of the tributaries, who suffer just as much as you do, have voted for your amendments, and we were much surprised yesterday when you turned your backs on your allies. We hope you will not do it to-day. I hope the chairman will accept this amendment and only give us one other opportunity to economically control the floods on the Mississippi and at the same time control them for the people on the tributaries, who are just as much entitled to that control as the people on the lower Mississippi. [Applause.]

Mr. WINGO. Mr. Chairman, I would like to have the attention of the gentleman from Illinois [Mr. REID] and the other members of this committee. Now, gentlemen, we want the members of the Committee on Flood Control, as well as all Members of the House, to notice what this amendment does.

I challenge any man who is opposed to the whole bill to give any reason why he should oppose this amendment. It does not authorize the expenditure of another dollar; it does not authorize the creation of any new project; all on earth it does, gentlemen—and it does not mention reservoirs—is that the surveys which are being made on these tributary projects shall be carried on simultaneously with the principal work. Listen:

Provided further, That the surveys herein provided for shall be made simultaneously with the flood-control work on the Mississippi River provided for in this act.

Remember, now, that this must not only be recommended by the engineers but must be approved by the President. And if those surveys—do what? If those surveys made on these tributaries—

shall disclose any flood-control projects which, in the judgment of the commission herein provided for, would be effective in controlling or assisting in controlling floods on the Mississippi River, the said commission is hereby empowered, with the approval of the President, to include such flood-control projects as a part of the work of controlling floods on the Mississippi River.

In other words, what does it do? Gentlemen, you may be against the whole bill and yet you can vote for this amendment, and the committee which reported this bill can vote for it,

because what does it do? It meets the very objection that was brought out in the colloquy between the chairman of the committee [Mr. REID] and my colleague [Mr. RAGON] a while ago. The gentleman from Illinois said that if the amendment he had offered was not definite enough to prevent these long delays he would be willing to accept an amendment which would cover that. This amendment does it.

Let us look at the amendment which has just been adopted by the committee. Turn to page 7031 of the RECORD and I will show you that this amendment is vitally necessary, if you do not want to make the people in those parts of the Red River and the Arkansas River, who stood the major part of the losses of life and of property—if you do not want to make them wait, in the language of the engineers, from 5 to 10 years before we get any report on their projects, then you must adopt this amendment. Turn to the RECORD and I will prove my assertion. Turn to the RECORD, page 7031, and look at the amendment you have just adopted, and to which this amendment is a proviso. It comes in the bill at page 20. Now, listen:

And the reports thereon—

I am reading from the amendment, along about the middle of the first column on page 7031.

And the reports thereon—

What reports? The reports on these tributary projects—shall include—

What?

shall include the effect on the subject of further flood control of the lower Mississippi River to be attained through the control of the flood waters in the drainage basins of the tributaries by the establishment of a reservoir system; the benefits that will accrue to navigation and agriculture from the prevention of erosion and siltage entering the stream; a determination of the capacity of the soils of the district to receive and hold waters from such reservoirs; the prospective income from the disposal of reservoir waters; the extent to which reservoir waters may be made available for public and private uses; and inquiry as to the return flow of waters placed in the soils from reservoirs; and as to their stabilizing effect on stream flow as a means of preventing erosion, siltage, and improving navigation.

This is to be accomplished through investigations which the Army engineers say will take from 5 to 10 years. Now, you have just adopted an amendment which says to the engineers, "You can not bring in these flood-control projects on the Arkansas and the Red Rivers until you do"—what? "Until you include in them certain data which it will take you years to prepare."

It will take from 5 to 10 years to get it. Gentlemen, it is vital to us on the Arkansas and Red to put in this amendment. Whatever side you are on, whether you are with the President or against the President, you certainly can agree to this proviso going into the bill.

If they are going to have these surveys of the tributary projects, in the name of fairness, ought you not to provide that they carry on the work simultaneously with respect to these projects, and in doing this, if they do find that any of these projects will be effective in assisting in your major project, then the engineers, with the approval of the President, certainly should be authorized to carry on that work and coordinate it.

The CHAIRMAN. The time of the gentleman from Arkansas has expired.

Mr. RAGON. Mr. Chairman, I ask unanimous consent that the gentleman may have five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. DENISON. Will the gentleman yield?

Mr. WINGO. Yes.

Mr. DENISON. The gentleman is ordinarily very cautious about entering upon great projects of this kind. Does not the gentleman think it would be unwise for Congress to instruct any of its representatives to enter upon a proposal of this kind without knowing anything about what it is going to cost?

Mr. WINGO. Listen—you do not do that.

Mr. HOWARD of Oklahoma. Did you not do that yesterday?

Mr. DENISON. Oh, no.

Mr. HOWARD of Oklahoma. Yes; you did.

Mr. WINGO. You do not do that under this provision any more than you have already done it, because the authorization goes back to and is limited by the exact provision to the sum you have authorized as part of the original appropriation in section 1 of the bill.

Mr. DENISON. Yes; that is for the surveys, but this amendment will instruct the President, or authorize the President and

the Secretary of War, to enter upon this program if they find from this survey that control of the tributaries will aid in the control of the floods, and so forth.

Mr. HOWARD of Oklahoma. Is not that also true with respect to the New Madrid project in which the gentleman is interested?

Mr. DENISON. Suppose the survey should show that the cost would be two or three billion dollars; does not the gentleman think Congress ought to reserve the right to decide at a later date whether we should enter upon the project or not?

Mr. WINGO. My friend, all of us might agree in the abstract to the proposition the gentleman has just laid down. We can suppose any kind of proposition, but with my knowledge of the President of the United States, his whole fight is to do what? To guard against the thing you point out as a possibility, and you tell me that by this amendment I will authorize the President to do something that is the very basis of his opposition to the proposition. I can not conceive of that.

Mr. DENISON. But if we adopt the amendment we instruct him to go ahead with it whether he wants to or not.

Mr. WINGO. Not only have the Army engineers got to approve but they have got to say that it is a necessary part of the work that you authorize them to do upon the Mississippi; and, in addition to this, the President of the United States has got to do it. My friend, I have great admiration for the President of the United States—

Mr. DENISON. I understand—

Mr. WINGO. Let me finish. I have great sympathy with his desire and his sense of responsibility to protect the Treasury against extravagant expenditures. I would not support this amendment until the gentleman from Oklahoma wrote upon the margin in pencil that it had to be approved by the President of the United States.

All on earth I ask you to do, my friends, is not to say positively as you have already done that we on the Arkansas and the Red shall have to wait from 5 to 10 years before Congress will even consider what the engineers may recommend.

We only ask you to say this much. If the engineers find that by going up a little farther on the Arkansas, the Red, the Missouri, the White, the Ohio, and all the others, it will aid and be necessary and effective in the Mississippi River project proper—then if the engineers so find, what is the President of the United States to consider or what will he say? He will say, "If it is not too extravagant, if it is not too expensive, if the engineers are ready, then I will approve it." They can not spend one dollar under this amendment unless the President of the United States O. K'd the finding and directed that it be done.

I have appreciated the difficulties that confront you, but it is a serious thing to those of us on the Arkansas and the Red and some of the other rivers. It is uncontradicted by the record that the major part of the loss of property and of life in Arkansas was outside of the backwaters down there on the Mississippi River. We have gone along and we have tried to be reasonable. We at first thought we ought to be a part of the original project, but when you refused that and said we must survey the tributaries first, then we said, "All right; of course, you have got to have surveys made," but just a moment ago what have you done? You have said that these reports of these surveys shall include certain things which the engineers have told you they can not get under 5 or 10 years, and this means, so far as this bill is concerned, if you do not adopt my amendment the tributaries get absolutely no assurance in this bill. [Applause.]

Mr. SNELL. Mr. Chairman, this is exactly the same proposition, although couched in a little different language, that was before the committee on yesterday. I am not speaking against the adoption of this amendment at this time as a man who is opposed to the reservoir scheme, because I am one of the men in this House who has always believed in the reservoir scheme. However, I am opposed to this amendment at this time, for this reason: It transfers to the President of the United States a larger power than has ever been transferred to him since I have been a Member of Congress or has ever been even suggested, and some of the people who are now proposing this amendment have guarded most earnestly the power of the House at all times in the past, and generally would be the first to object to any such wholesale transfer of power.

This is not a small proposition. This is bigger than the main proposition contained in the bill itself, and here it is proposed to adopt it as a simple amendment without consideration or information. Every investigation that has been made by Army engineers or by private engineers admits that the cost of proper river regulation controlled by a reservoir system will go into billions of dollars.

Mr. HOWARD of Oklahoma. Will the gentleman yield?

Mr. SNELL. Not just now. I am not sure that it will not pay, but when these examinations are made and when the recommendations are ready, I want them submitted to this House to let us pass upon them in the usual way. Give them the consideration matters of such importance are entitled to receive. Perhaps the cost will be so out of proportion that Congress would not consider it at all. No man would think of giving such authority to any executive, and I am mighty sure no executive would want it.

Now I yield to the gentleman from Oklahoma.

Mr. HOWARD of Oklahoma. Has the gentleman any record where the private engineers have made an estimate that this will cost billions of dollars?

Mr. SNELL. No; but I know that estimates have been made running into a tremendous sum and the estimates of the Army engineers go over a billion dollars.

The gentleman from Oklahoma said that this was the same power given the President in the early part of the bill. I do not so understand it. We gave power to the commission of which the President is a member or has a member to simply synchronize the conditions between the two plans now before Congress; that is all the power we gave him. We did not give him power to adopt anything new.

Mr. HOWARD of Oklahoma. The gentleman would accept the amendment as to the work going on at the same time the Mississippi flood-control work is going on?

Mr. SNELL. I have no objection to that part of the amendment, but at the same time I am opposed to so amending the bill as to put anyone in the power of pledging the country to a billion-dollar expense without the approval of Congress, and I am a friend of flood control.

Mr. HOWARD of Oklahoma. The reservoirs are not mentioned in my amendment. They might find that spillways would do the work. We can show a place on the Red River where with a spillway of 10 miles they can turn all the water away from the Red River.

Mr. SNELL. The gentleman's amendment authorizes the adoption of any project that this commission and the President may see fit to adopt. It makes no difference what it is if it can aid flood control, and it makes no difference what it costs. There is no doubt but that it may aid in flood control, yet I am opposing the granting authority to adopt a blanket proposition.

Mr. DENISON. I have never heard any doubt by the engineers that it would aid in flood control.

Mr. SNELL. No man knows how far afield it would go and I think it would be a very foolish policy to adopt the amendment at this time. I say to you people who live in the Mississippi River Valley that it is going to be a serious proposition for your flood control if this amendment is adopted.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. SNELL. I ask for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. WHITTINGTON. Will the gentleman yield?

Mr. SNELL. I yield.

Mr. WHITTINGTON. The last part of the proposed amendment to which the gentleman objects and which I understand the gentleman from Oklahoma is willing to modify or withdraw is that provision which would make available for construction of any project the entire authorization of this bill; they could authorize the expenditure of \$325,000,000 carried in the bill, and more, without a report to Congress?

Mr. SNELL. If they saw fit to do so they could spend every dollar up in Arkansas on the Arkansas River.

Mr. HOWARD of Oklahoma. Could not they spend every dollar of the money on the gentleman's project up in Cairo?

Mr. SNELL. I think not, because this is a definite project, and it is a small amount.

Mr. WHITTINGTON. This bill authorizes the expenditure of \$110,000,000 to \$150,000,000 in aid of navigation. If this amendment is adopted the \$110,000,000 or \$150,000,000 that is provided for the aid to navigation could be utilized for reservoirs?

Mr. HOWARD of Oklahoma. The money provided to protect Mississippi by the unnecessary spillways could be expended for reservoirs.

Mr. SNELL. I want to make it clear to the House what you are doing, if you adopt the proposed amendment. You are authorizing and committing the Government to the reservoir proposition without any definite plan whatever. You could not demand that it be brought back here before the money could be expended on that plan. You are voting for a pig in a bag, for nobody knows anything about it at the present time. It would absolutely destroy the purpose of the original bill.

Mr. HOWARD of Oklahoma. Is not the gentleman insisting that we are voting for a pig in a bag upon the whole bill?

Mr. SNELL. Not entirely. I am an earnest supporter of flood control and have been earnestly endeavoring to bring it about. This bill does not wholly meet with my approval, but on the whole it has many good features.

Mr. RAGON. Will the gentleman yield?

Mr. SNELL. I will.

Mr. RAGON. The gentleman would not object to the provision which provides for surveys to commence at the same time the work on the other surveys is begun?

Mr. SNELL. I do not object to that part of the amendment if all the rest is cut out, so far as I am individually concerned, because I am a friend of the general proposition; but I am bitterly opposed to adopting a proposition of that kind without knowing what we are doing. It is important that it should come back to Congress and that Congress should act upon it at that time.

Mr. RAGON. Suppose they should make this survey and it should develop that it was not any more expensive; might it not be a good thing to adopt that?

Mr. SNELL. It might be; but let it come back and be brought before the House and let us definitely discuss it at that time.

Mr. RAGON. That would suit me exactly; but that is not what we have before us.

Mr. SWANK. Mr. Chairman and gentlemen of the committee, on the 5th day of January, 1928, I called your attention to the necessity of enacting legislation on flood control, and stated that this subject and farm relief would be the leading measures for our consideration during this session of Congress. We now have a bill for the control of floods on the Mississippi River and its tributaries before us, and next week we will consider a farm relief bill. If these two bills are enacted into law, this session will go down in history as one of the most important Congresses ever assembled in this country. Nothing is now engaging the attention of the country as are these two bills, and they affect the country as a whole. These bills are not sectional nor political. The Committee on Flood Control has done most important and industrious work in framing a bill for our consideration, and if enacted into law will be of great benefit to our people, and will do much to prevent disastrous floods in the future and the destruction of life and property.

When we consider the fact that the floods last summer in the Mississippi River system affected 31 States of this Union, 41 per cent of the total area of the United States, covered 12,500,000 acres of good land, made 600,000 citizens homeless, and damaged property to the extent of more than \$400,000,000, it is time that a solution in the control of these flood waters be found, or at least that the best possible start be made. In addition to this great destruction interstate commerce was interfered with and our mail suspended, and all of these items taken into consideration, it has become a national problem commanding the best attention of our ablest minds.

Mr. Chairman, the report of the Committee on Flood Control shows that in my own State of Oklahoma damage was done by this flood to the extent of more than \$20,000,000 on the Arkansas River and its tributaries alone. In addition to this damage we also suffered greatly from the floods on the Red River and its tributaries. The evidence presented to the committee shows that if these flood waters are controlled on the tributaries that it will affect the flow on the Mississippi. If these waters are held back from the Mississippi, it will decrease the floods on that river. It is just as important and necessary to have the floods controlled on these streams, to protect life and property, as it is on the lower Mississippi, and the committee recognizes that fact. In the Sixty-eighth Congress I introduced a bill for a survey on the South Canadian, North Canadian, Cimarron, and other rivers in Oklahoma for flood-control purposes. Provision for these surveys was in the bill that was enacted into law and approved May 31, 1924. The Arkansas River was also included, and provision for the Red River in Louisiana, Arkansas, Oklahoma, and Texas was included later. This was the beginning, and we now have the opportunity before us for real legislation looking to the control of these floods, and if this bill becomes a law we will afford our people real assistance.

When we study the question and look to the destruction caused on these streams last year, consider the evidence presented to the committee, we must come to the conclusion that the levee system alone will not do the work, but that the headwaters must also be controlled and prevented from entering the Mississippi during flood seasons. This can be accomplished by the use of reservoirs and storage basins in connection with

the other plans. In so far as flood control alone is concerned, I believe the entire cost should be borne by the Federal Government, for it is a Federal question and affects all our citizens. All the money will not be spent in any one year, but sufficient appropriations should be made each year to carry the plans to completion just as speedily as possible. Whatever the entire cost may be, it will be spread out over a number of years.

This bill creates a board consisting of the Secretary of War, the Chief of Engineers, the president of the Mississippi River Commission, and two civil engineers chosen from civil life, to be appointed by the President, by and with the advice and consent of the Senate. The bill provides for work on the Mississippi and provides that all diversion work and outlets constructed shall be built in a manner which will amply protect the adjacent lands as it is protected by levees on the main river. The bill authorizes an appropriation of \$325,000,000 and provides that just compensation shall be paid by the United States for all property taken, damaged, or destroyed in carrying out the plan in the bill. Five million dollars is authorized to be appropriated as an emergency fund for rescue work or in repair or maintenance of any flood-control work on any tributaries of the Mississippi River threatened or destroyed by flood. This is an excellent provision of the bill.

The bill provides that projects for flood control on all tributary streams of the Mississippi River system subject to destructive floods shall be prepared and submitted to Congress at the earliest practicable date. Under the terms of the bill these projects shall include the following: The Red River and tributaries, the Arkansas River and tributaries, in addition to tributaries in other States. This provision includes the South Canadian, North Canadian, Cimarron, Washita, and other rivers in Oklahoma, and \$5,000,000 is authorized in the bill in addition to the amounts authorized in the rivers and harbors act of January 21, 1927, for the preparation of the flood-control projects authorized in the bill in reference to these tributaries.

The bill provides that the President shall at once proceed to ascertain, through the Secretary of War or other agency, the extent to which floods in the lower Mississippi Valley may be controlled by a reservoir system. Under this provision the agencies shall invite the aid of State engineers, university and technical men, and State officials. These studies shall include the effect on flood control in the lower Mississippi River in the drainage basins of its tributaries by the establishment of a reservoir system, the benefits that will accrue to navigation, agriculture, and power, and kindred questions.

The bill also provides that as soon as the studies of reservoirs shall have been completed and approved by the Secretary of War or other agency, with definite estimates of cost and working data, they shall be reported by the Secretary of War or other agency to the President of the United States, with all related findings and conclusions, and on his order the Secretary of War or other agency shall proceed with the construction of such reservoirs as soon as money is available for such purposes, provided the President concludes that such construction will have a substantial and beneficial influence in the control of floods on the navigable waters of the lower Mississippi Valley, and is economically justifiable. Provision is made that when any reservoir is completed the Secretary of the Interior shall have authority to dispose of any impounded waters, under rules made by him and approved by the President.

Mr. Chairman, the bill provides that aid shall be asked of State engineers and university men, and that is a most excellent provision, for the board will certainly consider recommendations made by such engineers who are just as able as those employed as Army engineers or by any other department of our Government. This aid would not be asked and then disregarded. By this provision, and other provisions in the bill, I feel that we will make a real start by the enactment of this bill into law. Testimony and estimates by competent and reliable engineers were presented to the committee during the hearings on this bill, that showed that 200 reservoirs and storage basins could be constructed in Colorado, New Mexico, Texas, Kansas, and Oklahoma at a cost of \$130,000,000, which reservoirs would make the Arkansas and Red Rivers harmless during the flood seasons, and which would prevent this water from flowing into the Mississippi to such an extent as to affect the floods on that river. This would not only relieve the States mentioned but would also greatly assist in controlling the floods on the lower Mississippi.

The committee report says that in the consideration of any comprehensive plan of flood control on the Mississippi River, it is almost elemental to state that regard must be given to the contributory effect of the tributaries. The report says:

Nor is there any lack of expression on the part of eminent engineers of wide and extensive experience to the effect that an investigation of the

flood problem on the Mississippi River, that is limited in scope to the application of suggested works along that river and its contiguous banks, can not be classed as an intelligent and thorough treatment of the subject.

This report further says:

The ultimate solution of the flood problem of the valley must include as well the possible use of flood-control works on these tributaries at their source or between their source and mouth. In the 1927 flood the tributaries contributed more than three-fourths of the flood waters.

The committee says that it is of the opinion that the floods of the lower Mississippi Valley can be controlled by impounding the headwaters of the tributaries, and that if this can be accomplished at a cost not in excess of other proposed plans, the resulting benefits will be far greater, not only to the lower valley but also to all the territory adjacent to the location of the various reservoirs.

The committee report makes the following statement:

The engineering profession, including civil and Army, are in accord on the theory that the ideal method of controlling floods is through the use of reservoirs by means of which waters are impounded and controlled in the source streams.

I believe a careful study of the evidence given the Committee on Flood Control during its extensive hearings, will convince any reasonable person that the construction of reservoirs will greatly relieve floods on the Mississippi and that the cost will be a small item when compared to the destruction of life and property by floods in the Mississippi River system. Many times in the past Congress has made large appropriations for the assistance and relief of our people, and let us not adjourn this Congress without an adequate law for relief from these disastrous floods. We should do everything that we possibly can do, that such destruction will never happen again.

As the levee system has failed in the control of these great floods and in the relief of our citizens, let us try spillways and reservoirs in connection with the levee system. Remember that the people in the States affected by the floods on the tributaries are just as much entitled to protection as are those who live upon the Mississippi proper. The legislation should apply to all our people alike and not alone to those of one section. The evidence shows that this plan is feasible and workable. There are changes that I would make in the bill, but this will be a good beginning and amendments can be added later as they become necessary. It is impossible to get everything that each Member of Congress would like to have in the bill, and I believe the plan outlined in the bill now under consideration should be tried. I am interested in the work on the lower Mississippi, and am especially interested in having the tributaries also protected. I hope the bill will soon be passed by both Houses of Congress and that the President will approve the measure, that work may be commenced in the near future for the protection of the people of this country. [Applause.]

Mr. WILLIAM E. HULL. Mr. Chairman, so far I have not said anything with reference to this bill, and I shall confine my remarks now to this point. This bill, so far as it has gone, is a good bill. The amendments that have been put in the bill are satisfactory to the administration.

Mr. FREAR. Just a moment—

Mr. WILLIAM E. HULL. Not you. I am talking about the administration.

Mr. FREAR. Will the gentleman yield?

Mr. WILLIAM E. HULL. No.

Mr. FREAR. That statement is not correct.

Mr. WILLIAM E. HULL. I do not yield. This bill has been amended along lines as has been stated that will meet the approval of the President of the United States. So far we have avoided any loopholes or any amendments that might cause the bill to fail. You people of the South must realize that you are now going toward a proposition that gives you flood control. Reservoirs are a part of flood control. Reservoirs will assist flood control, but the very fact that all of the reservoir part of this bill was taken out because those of us who are interested in flood control realize that if we put it in we would have the bill killed, ought to have some weight with you gentlemen now, and I beg of you men, Republicans as well as Democrats, to kill anything further with reference to any kind of an amendment that has not been acted upon and approved by the committee which has worked so hard to bring this bill on the floor in a proper manner.

I say to the Republicans of the House that I believe, as far as this bill has gone, with the present amendments, that the bill is a good bill. I do not believe that anyone belonging to the Republican Party can afford to vote against the bill, but I am opposed to putting in amendments that will endanger its passage and the signature of the President of the United States. I hope that you will vote this amendment down.

Mr. FREAR. Mr. Chairman, I have never assumed to speak for the administration. I am sure that a gentleman who has not been on the committee, who has not been in sympathy with part of the measure relating to method of acquiring flood ways that we have tried to put through—and I know that Mr. Tilson and the administration have tried to put it through—can not speak for the administration at this time when he says that the administration is in favor of this bill as it stands. We feel that the large proposition in the bill is the question of the purchase of lands. I am not expressing any opinion on this as to the attitude of the administration. Everyone has a right to use his own judgment, but the bill is not satisfactory. I do not believe it is satisfactory to the administration. That is the reason that the motion to recommit will be offered. Otherwise, it would be a useless performance to offer it.

Mr. WINGO. Mr. Chairman, I am going to offer the following substitute for the pending amendment, and I think it can be accepted by all:

Provided further, That the flood surveys herein provided for shall be made simultaneously with the flood-control work on the Mississippi River provided for in this act.

That is not what I think we ought to have; but if it is the best we can get, with the present temper of the House, we will take that.

Mr. SNELL. Ask to withdraw the other amendment.

Mr. WINGO. Will the gentleman from Oklahoma accept that substitute?

Mr. HOWARD of Oklahoma. Yes.

Mr. WINGO. Mr. Chairman, I ask unanimous consent to substitute this proposition just read for the pending amendment.

The CHAIRMAN. Is there objection?

There was no objection.

The CHAIRMAN. The question is on the substitute.

Mr. WHITTINGTON. Mr. Chairman, I ask that the amendment as substituted be reported.

The CHAIRMAN. The Clerk will report the amendment as modified.

The Clerk read as follows:

Provided further, That the flood surveys herein provided for shall be made simultaneously with the flood-control work on the Mississippi River provided for in this act.

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. WINGO. Mr. Chairman, it is thought that this is the best we can get, and we shall have to take it.

Mr. HASTINGS. Mr. Chairman, I want to say just one word further. I believe the amendment of my colleague [Mr. HOWARD] ought to have been adopted by this House. I believe it would strengthen this bill. I believe that it would not incur the displeasure of the President. I think it would strengthen this bill on the final vote in this House, and in the event of the President's disapproval I think it would strengthen the bill then. Other Members on the floor of the House who are friends of flood-control legislation think differently, and in these circumstances, against my judgment, I am willing to yield to them.

We are in a desperate situation up on these tributaries. We have suffered tremendously. A great many Members of this House do not know how much damage we have suffered upon the Arkansas River. We have suffered there, and they have suffered upon the Missouri, and on other tributaries of the Mississippi River almost if not quite as much as those on the lower reaches of the Mississippi River. We have the advice of some of the best civil engineers in the country, and they are of one opinion and agree that the reservoir plan will aid flood control on the lower Mississippi and at the same time it will help us upon the main tributaries, including, of course, the Arkansas River and its contributing streams.

This amendment embodies what we have been asking for. This amendment is what we want. We believe that this work ought to go forward simultaneously. We are trying to offer an additional and supplemental method of flood control. We have been trying for a hundred years the levee system on the lower Mississippi, and it has been inadequate. You are now going to try your levee system and your spillway system. All that my colleague asked for in his amendment was to give to the Board of Engineers and the President of the United States, provided it was acceptable to the President, the right to try out this other method. Suppose that in the investigation that is to be made it is found that flood control on the lower Mississippi can be more adequately and more effectively and more economically obtained by the reservoir plan—all that this amendment does is, if the President approves the project, to provide that it may go forward out of the money authorized to be

appropriated in this bill. The substitute amendment helps to the extent that it expedites the work. The original amendment as offered would proceed with each project as and when approved by the President.

The CHAIRMAN. The question is on agreeing to the amendment to the amendment.

Mr. HOWARD of Oklahoma. Mr. Chairman, I ask unanimous consent to proceed for two minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. HOWARD of Oklahoma. Mr. Chairman and gentlemen of the House, as explained by my colleague from Oklahoma [Mr. HASTINGS], we have seen fit to accept this substitute, although we do not think it is all that we on the tributaries are entitled to. However, we have accomplished by the offering of this amendment, if you adopt this substitute, a thing the lack of which has handicapped flood control on the tributaries all these years. By forcing those in authority to now, under this amendment, go to work instead of stalling off the people of the tributaries by reason of not having authority and instructions on the subject we have made a very considerable gain in our fight for flood control on the tributaries.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Arkansas [Mr. WINGO] to the amendment offered by the gentleman from Illinois [Mr. REID].

The question was taken, and the Chairman announced that the yeas appeared to have it.

Mr. HOWARD of Oklahoma. A division, Mr. Chairman.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 151, yeas, 0.

So the amendment to the amendment was agreed to.

The CHAIRMAN. The question now recurs on the amendment of the gentleman from Illinois as amended.

The question was taken, and the amendment as amended was agreed to.

Mr. LEAVITT. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Montana offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LEAVITT: Page 10, after the amendment of Mr. WINGO just adopted, insert as a further provision: "The President shall proceed to ascertain from the Secretary of Agriculture the extent to and manner in which the floods of the Mississippi Valley may be controlled by proper forestry practice."

Mr. LEAVITT. Mr. Chairman, the purpose of this amendment is not to add the expenditure of a single cent under the appropriations provided in this bill. It has this purpose, however, that there shall be written into this measure, which is the greatest and most important flood-control measure ever considered by this Congress, and thus into the national policy, an acceptance of the principle that any flood-control plan to be final and ultimately effective, must include forestry practice at the heads of all streams involved. It adds only one thing, that the President shall proceed to secure information from the Secretary of Agriculture, under whose supervision comes the Forest Service and other agencies having correct and scientific information in regard to the forestry problem, and to coordinate and consider that information in connection with this entire effort to control the floods of the Mississippi River.

We have at the present time the Clarke-McNary law, and the Weeks law, and we have the McSweeney-McNary bill and the McNary-Woodruff bill now in process of enactment; to authorize the appropriations necessary to do this work. But we need to have the problem studied in connection with flood control in order that the steps taken may be most constructive and that they may prove most valuable and effective in connection with the Mississippi River floods, and especially that forestry may be given its proper place in the ultimate plans of all flood control.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Montana.

The question was taken; and on a division (demanded by Mr. DRIVER) there were—ayes 112, yeas, 22.

So the amendment was agreed to.

The Clerk read as follows:

SEC. 11. That the Secretary of War shall cause the Mississippi River Commission to make an examination and survey of the Mississippi River below Cape Girardeau, Mo., (a) at places where levees have heretofore been constructed on one side of the river and the lands on the opposite side have been thereby subjected to greater overflow, and where, without unreasonably restricting the flood channel, levees can be constructed to reduce the extent of this overflow, and where the construction of such levees is economically justified, and report thereon

to the Congress as soon as practicable with such recommendations as the commission may deem advisable; (b) with a view to determining the estimated effects, if any, upon lands lying between the river and adjacent hills by reason of overflow of such lands caused by the construction of levees at other points along the Mississippi River, and determining the equities of the owners of such lands and the value of the same, and the commission shall report thereon to the Congress as soon as practicable with such recommendation as it may deem advisable: *Provided*, That inasmuch as the Mississippi River Commission made a report on the 26th day of October, 1912, recommending a levee to be built from Tiptonville, Tenn., to the Obion River in Tennessee, the said Mississippi River Commission is authorized to make a resurvey of said proposed levee and a relocation of the same if necessary, and if such levee is found feasible, and is approved by the board created in section 1 of this act, the commission is authorized to build same out of appropriations hereafter to be made.

The CHAIRMAN. The gentleman from Illinois offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. REID of Illinois: Page 11, line 22, after the word "act" strike out the words "the commission is authorized to build same," and insert in lieu thereof the words "and by the President, the same shall be built."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Illinois.

The amendment was agreed to.

Mr. REID of Illinois. Mr. Chairman, section 12, as it originally appeared in the bill, is now unnecessary, the same subject matter being included in the amendment which I put in section 10 in regard to reservoirs. I ask unanimous consent to consider that section as stricken out.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to withdraw the committee amendment incorporating section 12 in the bill. Is there objection?

There was no objection.

The Clerk read as follows:

SEC. 12. All laws or parts of laws inconsistent with the above are hereby repealed.

The CHAIRMAN. Without objection the numbers of the sections will be made to conform with the action of the committee.

There was no objection.

The CHAIRMAN. The Chair desires to make a statement. Earlier in the afternoon he was notified of an amendment which was sought to be offered at this point in the bill but the Chair for the moment does not recall who made the suggestion. This is the time to offer the amendment in the event it is desired to do so.

Mr. GREEN. Mr. Chairman, I have an amendment I desire to offer after section 14. That section will be read later on.

The CHAIRMAN. Surely. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: On page 14, after line 4, insert:

"SEC. 14. That the project for the control of floods in the Sacramento River, Calif., adopted by section 2 of the act approved March 1, 1917, entitled "An act to provide for the control of the floods of the Mississippi River and of the Sacramento River, Calif., and for other purposes," is hereby modified in accordance with the report of the California Débris Commission submitted in Senate Document No. 23, Sixty-ninth Congress, first session: *Provided*, That the total amounts contributed by the Federal Government, including the amounts heretofore contributed by it, shall in no event exceed in the aggregate \$17,600,000."

The CHAIRMAN. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. Without objection, the correction of the number of the section will be made.

There was no objection.

Mr. GREEN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Florida offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. GREEN: On page 14, after line 15, insert a new section, as follows:

"SEC. 15. The sum of \$10,000,000 is hereby authorized to be appropriated for the control of floods in the Florida Everglades."

Mr. REID of Illinois. Mr. Chairman, I make a point of order against the amendment.

Mr. GREEN. I will ask the gentleman to reserve his point of order.

Mr. REID of Illinois. Mr. Chairman, I will reserve it.

Mr. GREEN. Mr. Chairman, I would like to say to my colleagues that the State of Florida at its last legislature authorized a bond issue of \$20,000,000, and if \$10,000,000 is appropriated by the Congress it would bring flood control in the Florida Everglades on a parity with flood control in the Sacramento Valley.

I would like to advise my colleagues that inasmuch as 31 States are benefited by flood control in the Mississippi River, and, as we acknowledge, it is a national problem, and as we are supporting it as such, it seems to me reasonable that we should consider the flood which was in the Florida Everglades only a few months ago. You have read of the destruction of life and property there, and it seems to me it is a problem which should be coped with by our National Government.

Mr. WAINWRIGHT. Will the gentleman yield?

Mr. GREEN. I gladly yield to the gentleman from New York.

Mr. WAINWRIGHT. I would like to ask the gentleman, and ask some other gentlemen, what the Sacramento River and the Everglades of Florida have to do in a Mississippi River flood control bill?

Mr. GREEN. I will say to the gentleman from New York that the State of California and the State of Florida and other States of the Union contribute to our Government the same as the 31 States in the Mississippi Valley, and I believe we ought to get in on this problem the same as the Mississippi Valley. [Laughter and applause.] I am in favor of this flood control, and I expect to vote for it. It is a national problem and we should treat it as a national problem. Likewise we should treat the Sacramento Valley and the Florida Everglades problem in a national way.

The CHAIRMAN. The time of the gentleman from Florida has expired.

Mr. REID of Illinois. Mr. Chairman, I make the point of order.

The CHAIRMAN. The Chair is ready to rule.

The bill as originally reported to the House dealt solely with the control of floods on the Mississippi River and its tributaries. An amendment was submitted by the committee, incorporated in section 14, for the control of floods on the Sacramento River, Calif. This amendment was clearly subject to a point of order, but no point of order was made, and now it is in the bill.

The bill now contains two similar projects to control floods in two different sections of the country. It is a well-known rule of germaneness that where there are two similar projects, a third project may be added by a germane amendment. For instance, where two Territories are admitted to the Union, an amendment to admit a third Territory is in order. In the same way where authority is given for the construction of buildings in two cities it is perfectly in order to put in an amendment for a building in a third city. For this reason the amendment is in order and the point of order is overruled.

The question is on the amendment offered by the gentleman from Florida.

The question was taken; and on division (demanded by Mr. GREEN), there were—ayes 25, noes 117.

So the amendment was rejected.

Mr. LA GUARDIA. Mr. Chairman, I have an amendment which I have sent to the Clerk's desk.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LA GUARDIA: On page 14, after line 15, add the following as a new section:

"SEC. 14. In every contract or agreement to be made or entered into for the acquisition of land, either by private sale or condemnation, as in this act provided, the provisions contained in section 3741 of the Revised Statutes, being section 22 of title 41 of the United States Code, shall be applicable."

Mr. LA GUARDIA. Mr. Chairman, this simply makes applicable the provisions of the Revised Statutes—section 3741—to all agreements and contracts for the acquisition of land, either by private sale or by condemnation. The provision is very short, being section 22 of title 41 of the United States Code. That is the public contract law. I will read it:

In every contract or agreement to be made or entered into or accepted by or on behalf of the United States, there shall be inserted an express condition that no Member of (or Delegate to) Congress shall be admitted to any share or part of such contract or agreement or to any benefits to arise thereupon.

I am sure no one can object to making the provisions of the Revised Statutes applicable to this law.

Mr. GRIFFIN. Will the gentleman yield?

Mr. LaGUARDIA. Yes.

Mr. GRIFFIN. Would not that provision of law apply in any event?

Mr. LaGUARDIA. No; this is just with respect to public contracts.

Mr. GRIFFIN. Would not that apply without the enactment of this amendment?

Mr. LaGUARDIA. I do not think so, because this is a provision with respect to public contracts, chiefly for the purchase of departmental supplies, and it would not be applicable to this bill. I will say to the gentleman from New York that in order to make the provisions of this section applicable, we ought to insert my amendment in the bill. Surely it will carry out the purpose. I am sure every Member of the House is in sympathy with the provision of the Revised Statutes and that it should be made applicable to this bill.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The amendment was agreed to.

Mr. REID of Illinois. Mr. Chairman, I move that the committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. LEHLBACH, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (S. 3740) for the control of floods on the Mississippi River and its tributaries, and for other purposes, had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The SPEAKER. Under the rule, the previous question is ordered on the amendments. Is a separate vote demanded on any amendment? If not, the Chair will put them in gross.

The amendments were agreed to.

The SPEAKER. The question is on the third reading of the bill.

The bill was ordered to be read a third time, and was read the third time.

Mr. FREAR rose.

The SPEAKER. For what purpose does the gentleman from Wisconsin rise?

Mr. FREAR. For the purpose of offering a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. FREAR. I am.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk began the reading of the motion.

Mr. FREAR. Mr. Speaker, unless the House desires to have the motion read, I will say that it is the same that was offered by the gentleman from Connecticut.

Mr. BANKHEAD. Let the motion be read.

The Clerk continued the reading.

Mr. McKEOWN. Mr. Speaker, I ask unanimous consent that the reading of the motion be dispensed with.

Mr. FREAR. I object.

Mr. BANKHEAD. Mr. Speaker, I interposed an objection thinking that the gentleman from Wisconsin had a specific motion. I did not expect that he was going to have the whole bill read. I think the House would agree to let the gentleman state what his motion involves.

Mr. FREAR. I have already made a brief statement that this was an agreement supposed to have been reached with the Attorney General and the delegation that went to the White House. It differs slightly in some respects from the provisions of the bill. The question of the acquirement of property is the main proposal. It strikes out the Bonnet Carre spillway and the provision in relation to the New Madrid flood way which was discussed and carried by the House last night, so that is not involved.

The SPEAKER. Is there objection?

Mr. GRIFFIN. Mr. Speaker, a parliamentary inquiry. In the event that the unanimous consent is given to dispense with the reading will the motion be printed in the RECORD?

The SPEAKER. It can be printed in the RECORD.

Mr. GRIFFIN. I ask unanimous consent that it be printed.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. Is there objection to dispensing with the reading of the motion?

There was no objection.

The following is the motion to recommit:

Mr. FREAR moves to recommit the bill to the Committee on Flood Control with instructions to report the bill back forthwith, and in lieu of S. 3740 insert the following:

"That the project for the flood control of the Mississippi River in its alluvial valley and for its improvement from the Head of Passes to Cape Girardeau, Mo., in accordance with the engineering plan set forth and recommended in the report submitted by the Chief of Engineers to the Secretary of War dated December 1, 1927, and printed in House Document No. 90, Seventieth Congress, first session, is hereby adopted and authorized to be prosecuted under the direction of the Secretary of War and the supervision of the Chief of Engineers: *Provided*, That a board to consist of the Chief of Engineers, the president of the Mississippi River Commission, and a civil engineer chosen from civil life to be appointed by the President, by and with the advice and consent of the Senate, whose compensation shall be fixed by the President and be paid out of the appropriations made to carry on this project, is hereby created; and such board is authorized and directed to consider the engineering differences between the adopted project and the plans recommended by the Mississippi River Commission in its special report dated November 28, 1927, and after such study and such further surveys as may be necessary, to recommend to the President such action as they may deem necessary to be taken in respect to such engineering differences, and the decision of the President upon all recommendations or questions submitted to him by such board shall be followed in carrying out the project herein adopted. The board shall not have any power or authority in respect to such project, except as hereinbefore provided. Such project and the changes therein, if any, shall be executed in accordance with the provisions of section 8 of this act: *Provided*, That all diversion works and outlets constructed under the provisions of this act shall be built in a manner and of a character which will fully and amply protect the adjacent lands: *Provided further*, That pending completion of the Cypress Creek or Tensas diversion and flood way the levee along the west bank of the Mississippi River within the diversion and flood way shall be completed and maintained to the 1914 grade and section on any part of the river on such west bank within said diversion and flood way where the levee has not been completed to such grade and section. The sum of not to exceed \$20,000,000 is hereby authorized to be appropriated for this purpose.

"All unexpended balances of appropriations heretofore made for prosecuting the work of flood control on the Mississippi River in accordance with the provisions of the Flood Control acts approved March 1, 1917, and March 4, 1923, are hereby made available for expenditure under the provisions of this act excepting section 14.

"SEC. 2. That it is hereby declared to be the sense of Congress that the principle of local contribution toward the cost of flood-control work, which has been incorporated in all previous national legislation on the subject, is sound, as recognizing the special interest of the local population in its own protection, and as a means of preventing inordinate requests for unjustified items of work having no material national interest. As a full compliance with this principle in view of the great expenditure estimated at approximately \$292,000,000, heretofore made by the local interests in the alluvial valley of the Mississippi River for protection against the floods of that river; in view of the extent of national concern in the control of these floods in the interests of national prosperity, the flow of interstate commerce, and the movement of the United States mails; and, in view of the gigantic scale of the project, involving waters of a volume and flowing from a drainage area largely outside the States most affected, and far exceeding those of any other river in the United States, no local contribution to the project herein adopted is required.

"SEC. 3. Except when authorized by the Secretary of War upon the recommendation of the Chief of Engineers, no money appropriated under authority of this act shall be expended on the construction of any item of the project until the States or local interests to be benefited and protected have indicated their desire for Federal assistance, by giving assurances satisfactory to the Secretary of War that they will (a) maintain all flood-control works after their completion, except controlling and regulating spillway structures, including special relief levees; maintenance includes normally such matters as cutting grass, removal of weeds, local drainage, and minor repairs of main river levees; (b) provide, without cost to the United States, such drainage works as may be necessary, and the rights of way for all levees and other structures as and when the same are required.

"No liability of any kind shall attach to or rest upon the United States for any damage from or by floods or flood waters at any place.

"SEC. 4. Any property taken by the United States for the purpose of carrying out the terms of this act, for which compensation is required by the Constitution of the United States, shall be paid for by the United States.

"The Secretary of War may cause proceedings to be instituted for the acquirement by condemnation of any lands, easements, or rights of way which, in the opinion of the Secretary of War, are needed in

carrying out this project, the said proceedings to be instituted in the United States district court for the district in which the land, easement, or right of way is located. In all such proceedings the court, for the purpose of ascertaining the value of the property and assessing the compensation to be paid, shall appoint three commissioners, whose award, when confirmed by the court, shall be final. When the owner of any land, easement, or right of way shall fix a price for the same which, in the opinion of the Secretary of War is reasonable, he may purchase the same at such price; and the Secretary of War is also authorized to accept donations of lands, easements, and rights of way required for this project. The provisions of sections 5 and 6 of the river and harbor act of July 18, 1918, are hereby made applicable to the acquisition of lands, easements, or rights of way needed for works of flood control: *Provided*, That the title to any land acquired under the provisions of this section, and used in connection with the works authorized by section 1 of this act, shall be turned over without cost to the States or local interests, which shall retain the same for the purposes specified in this act.

"SEC. 5. Subject to the approval of the heads of the several executive departments concerned, the Secretary of War, on the recommendation of the Chief of Engineers, may engage the services and assistance of the Coast and Geodetic Survey, the Geological Survey, or other mapping agencies of the Government, in the preparation of maps required in furtherance of this project, and funds to pay for such services may be allotted from appropriations made under authority of this act.

"SEC. 6. Funds appropriated under authority of section 1 of this act may be expended for the prosecution of such works for the control of the floods of the Mississippi River as have heretofore been authorized and are not included in the present project, including levee work on the Mississippi River between Rock Island, Ill., and Cape Girardeau, Mo., and on the outlets and tributaries of the Mississippi River between Rock Island and the Head of Passes in so far as such outlets or tributaries are affected by the backwaters of the Mississippi: *Provided*, That for such work on tributaries, local interests shall provide rights of way without cost to the United States, contribute 33 1/4 per cent of the cost of the works, and maintain the works after completion: *Provided further*, That not more than \$10,000,000 of the sum authorized in section 1 of this act shall be expended under the provisions of this section.

"In an emergency, funds appropriated under authority of section 1 of this act may be expended for the maintenance of any levee when it is demonstrated to the satisfaction of the Secretary of War that the levee can not be adequately maintained by local interests.

"SEC. 7. That the sum of \$5,000,000 is authorized to be appropriated as an emergency fund to be allotted by the Secretary of War on the recommendation of the Chief of Engineers in rescue work or in the repair or maintenance of any flood-control work on any tributaries of the Mississippi River threatened or destroyed by flood.

"SEC. 8. The project herein authorized shall be prosecuted by the Mississippi River Commission under the direction of the Secretary of War and supervision of the Chief of Engineers and subject to the provisions of this act. It shall perform such functions and through such agencies as they shall designate after consultation and discussion with the president of the commission. For all other purposes the existing laws governing the constitution and activities of the commission shall remain unchanged. The commission shall make inspection trips of such frequency and duration as will enable it to acquire first-hand information as to conditions and problems germane of the matter of flood control within the area of its jurisdiction; and on such trips of inspection ample opportunity for hearings and suggestions shall be afforded persons affected by or interested in such problems. The president of the commission shall be the executive officer thereof and shall have the qualifications now prescribed by law for the Assistant Chief of Engineers, shall have the title brigadier general, Corps of Engineers, and shall have the rank, pay, and allowances of a brigadier general while actually assigned to such duty: *Provided*, That the present incumbent of the office may be appointed a brigadier general of the Army, retired, and shall be eligible for the position of president of the commission if recalled to active service by the President under the provisions of existing law.

"The salary of the president of the Mississippi River Commission shall hereafter be \$10,000 per annum, and the salary of the other members of the commission shall hereafter be \$7,500 per annum. The official salary of any officer of the United States Army or other branch of the Government appointed or employed under this act shall be deducted from the amount of salary or compensation provided by, or which shall be fixed under, the terms of this act.

"SEC. 9. The provisions of sections 13, 14, 16, and 17 of the river and harbor act of March 3, 1899, are hereby made applicable to all lands, waters, easements, and other property and rights acquired or constructed under the provision of this act.

"SEC. 10. That it is the sense of Congress that the surveys of the Mississippi River and its tributaries, authorized pursuant to the act of January 21, 1927, House Document No. 308, Sixty-ninth Congress, first session, be prosecuted as speedily as practicable, and the Secre-

tary of War, through the Corps of Engineers, United States Army, is directed to prepare and submit to Congress at the earliest practicable date projects for flood control on all tributary streams of the Mississippi River system subject to destructive floods, which projects shall include: The Red River and tributaries, the Yazoo River and tributaries, the White River and tributaries, the St. Francis River and tributaries, the Arkansas River and tributaries, the Ohio River and tributaries, the Missouri River and tributaries, and the Illinois River and tributaries.

"The sum of \$5,000,000 is hereby authorized to be used out of the appropriation authorized in section 1, in addition to amounts authorized in the river and harbor act of January 21, 1927, to be expended under the direction of the Secretary of War and the supervision of the Chief of Engineers for the preparation of the flood-control projects authorized in this section.

"SEC. 11. That the Secretary of War shall cause the Mississippi River Commission to make an examination and survey of the Mississippi River below Cape Girardeau, Mo., (a) at places where levees have heretofore been constructed on one side of the river and the lands on the opposite side have been thereby subjected to greater overflow, and where, without unreasonably restricting the flood channel, levees can be constructed to reduce the extent of this overflow, and where the construction of such levees is economically justified, and report thereon to the Congress as soon as practicable with such recommendations as the commission may deem advisable; (b) with a view to determining the estimated effects, if any, upon lands lying between the river and adjacent hills by reason of overflow of such lands caused by the construction of levees at other points along the Mississippi River, and determining the equities of the owners of such lands and the value of the same, and the commission shall report thereon to the Congress as soon as practicable with such recommendation as it may deem advisable: *Provided*, That inasmuch as the Mississippi River Commission made a report on the 26th day of October, 1912, recommending a levee to be built from Tiptonville, Tenn., to the Obion River in Tennessee, the said Mississippi River Commission is authorized to make a resurvey of said proposed levee and a relocation of the same if necessary, and if such levee is found feasible, and is approved by the board created in section 1 of this act, and by the President, the same shall be built out of appropriations hereafter to be made.

"SEC. 12. All laws or parts of laws inconsistent with the above are hereby repealed.

"SEC. 13. That the project for the control of floods in the Sacramento River, Calif., adopted by section 2 of the act approved March 1, 1917, entitled 'An act to provide for the control of the floods of the Mississippi River and of the Sacramento River, Calif., and for other purposes,' is hereby modified in accordance with the report of the California Débris Commission submitted in Senate Document No. 23, Sixty-ninth Congress, first session: *Provided*, That the total amounts contributed by the Federal Government, including the amounts heretofore contributed by it, shall in no event exceed in the aggregate \$17,600,000."

The SPEAKER. The question is on the motion of the gentleman from Wisconsin to recommit the bill with instructions.

Mr. FREAR. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 139, nays 206, not voting 87, as follows:

[Roll No. 70]

YEAS—139

Ackerman	Fish	Kading	Robinson, Iowa
Aldrich	Fitzgerald, Roy G.	Kearns	Rogers
Andresen	Fitzgerald, W. T.	Ketcham	Sanders, N. Y.
Arentz	Fort	Knutson	Schafer
Bacharach	Foss	Kopp	Schneider
Bachmann	Frear	Korell	Sears, Nebr.
Bacon	Free	Kvale	Seger
Barbour	Freeman	LaGuardia	Selvig
Beck, Wis.	French	Lampert	Simmons
Beedy	Frothingham	Lehbach	Sinnot
Berger	Furlow	Luce	Snell
Bowman	Gibson	McLaughlin	Speaks
Brand, Ohio	Gifford	McLeod	Sproul, Kans.
Brigham	Glynn	MacGregor	Stalker
Browne	Goodwin	Maas	Strong, Kans.
Burdick	Griffin	Mapes	Summers, Wash.
Burton	Hadley	Martin, Mass.	Sweet
Carter	Hale	Mead	Taber
Chalmers	Hall, Ind.	Merritt	Thurston
Chindblom	Hancock	Michaelson	Tilson
Christopherson	Hardy	Michener	Timberlake
Clague	Hawley	Miller	Underhill
Clancy	Hersey	Morehead	Udike
Clarke	Hickey	Morgan	Vestal
Cole, Iowa	Hoch	Morin	Vincent, Mich.
Colton	Hogg	Murphy	Wainwright
Cooper, Wis.	Hooper	Nelson, Me.	Wason
Cramton	Hope	Nelson, Wis.	Watson
Crowther	Houston, Del.	Newton	Welsh, Pa.
Davenport	Hudson	Parker	White, Me.
Dempsey	Hull, Morton D.	Pratt	Williamson
Doutrich	James	Purnell	Winter
Elliott	Johnson, Ind.	Ramseyer	Wolverton
England	Johnson, S. Dak.	Reece	Zihlman
Fenn	Johnson, Wash.	Reed, N. Y.	

NAYS—206

Abernethy	Dickinson, Iowa	Jones	Prall
Adkins	Dickinson, Mo.	Kemp	Quin
Allen	Dickstein	Kerr	Ragon
Allgood	Dominick	Kincheloe	Rainey
Almon	Doughton	Kindred	Rankin
Arnold	Douglass, Mass.	King	Rathbone
Aswell	Dowell	Langley	Rayburn
Auf der Heide	Doyle	Lanham	Reed, Ark.
Ayres	Drewry	Lankford	Reid, Ill.
Bankhead	Driver	Lea	Robison, Ky.
Bell	Edwards	Leavitt	Romjue
Black, N. Y.	Englebright	Letts	Ruby
Black, Tex.	Eslick	Lindsay	Rutherford
Bland	Evans, Mont.	Linthicum	Sanders, Tex.
Bloom	Faust	Lowrey	Sandlin
Bowling	Fitzpatrick	Lozier	Shallenberger
Box	Fletcher	Lyon	Sinclair
Boylan	Fulbright	McClintic	Sirovich
Brand, Ga.	Fulmer	McDuffie	Somers, N. Y.
Briggs	Gambrell	McKeown	Spearing
Britten	Garber	McMillan	Sproul, Ill.
Browning	Gardner, Ind.	McReynolds	Stedman
Buchanan	Garner, Tex.	McSwain	Steele
Buckbee	Garrett, Tenn.	McSweeney	Stevenson
Bulwinkle	Gasque	Madden	Summers, Wash.
Burtness	Gilbert	Major, Ill.	Swank
Busby	Gregory	Major, Mo.	Swing
Byrns	Green	Manlove	Tarver
Canfield	Greenwood	Mansfield	Taylor, Colo.
Cannon	Guyer	Martin, La.	Taylor, Tenn.
Carley	Hall, Ill.	Montague	Thatcher
Carss	Hall, N. Dak.	Mooney	Tucker
Cartwright	Hammer	Moore, Ky.	Underwood
Cellar	Hare	Moore, N. J.	Vinson, Ga.
Chapman	Harrison	Moore, Va.	Vinson, Ky.
Cochran, Mo.	Hastings	Moorman	Ware
Cohen	Haugen	Morrow	Warren
Cole, Md.	Hill, Ala.	Nelson, Mo.	Weaver
Collier	Hill, Wash.	Niedringhaus	Welch, Calif.
Collins	Holaday	Norton, Nebr.	White, Colo.
Combs	Howard, Nebr.	Norton, N. J.	White, Me.
Connelly	Howard, Okla.	O'Brien	Whitehead
Corning	Huddleston	O'Connell	Whittington
Cox	Hull, Tenn.	O'Connor, La.	Williams, Mo.
Crisp	Hull, William E.	O'Connor, N. Y.	Williams, Tex.
Crosser	Igoe	Oliver, Ala.	Wilson, La.
Cullen	Irwin	Oliver, N. Y.	Wilson, Miss.
Curry	Jacobstein	Palmisano	Wingo
Davey	Jeffers	Parks	Winter
Davis	Johnson, Ill.	Peavey	Wolverton
Denison	Johnson, Okla.	Peery	Woodrum
De Rouen	Johnson, Tex.	Pou	Wright
			Yates

NOT VOTING—87

Andrew	Deal	Kunz	Stobbs
Anthony	Douglas, Ariz.	Kurtz	Strong, Pa.
Beck, Pa.	Drane	Larsen	Strother
Beers	Dyer	Leatherwood	Sullivan
Begg	Eaton	Leech	Summers, Tex.
Blanton	Estep	McFadden	Swick
Bohn	Evans, Calif.	Magrady	Tatgenhorst
Boies	Fisher	Menges	Temple
Bowles	Garrett, Tex.	Milligan	Thompson
Bushong	Golder	Monast	Tinkham
Butler	Goldsborough	Moore, Ohio	Treadway
Campbell	Graham	Oldfield	Watres
Carew	Griest	Palmer	Weller
Casey	Hoffman	Perkins	White, Kans.
Chase	Hudspeth	Porter	Williams, Ill.
Cochran, Pa.	Hughes	Quayle	Wood
Connally, Tex.	Jenkins	Ransley	Woodruff
Connolly, Pa.	Kahn	Rowbottom	Wurzbach
Cooper, Ohio	Kelly	Sabath	Wyant
Crall	Kendall	Sears, Fla.	Yates
Dallinger	Kent	Shreve	
Darrow	Kiess	Smith	

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On the vote:

Mr. Begg (for) with Mr. Yates (against).
 Mr. Cochran of Pennsylvania (for) with Mr. Rowbottom (against).
 Mr. Evans of California (for) with Mr. Hughes (against).
 Mr. Leech (for) with Mr. Connally of Texas (against).
 Mr. Woodruff (for) with Mr. Hudspeth (against).
 Mr. Watres (for) with Mr. Fisher (against).
 Mr. Bohn (for) with Mr. Sears of Florida (against).
 Mr. Cooper of Ohio (for) with Mr. Blanton (against).
 Mr. Magrady (for) with Mr. Quayle (against).
 Mr. Swick (for) with Mr. Kent (against).
 Mr. Anthony (for) with Mr. Sullivan (against).
 Mr. Temple (for) with Mr. Larsen (against).
 Mr. Perkins (for) with Mr. Kunz (against).
 Mr. Treadway (for) with Mr. Carew (against).
 Mr. Bowles (for) with Mr. Shreve (against).
 Mr. Ransley (for) with Mr. Weller (against).
 Mr. Tinkham (for) with Mr. Milligan (against).
 Mr. Wood (for) with Mr. Porter (against).
 Mr. Kurtz (for) with Mr. Tillman (against).
 Mr. Beers (for) with Mr. Oldfield (against).
 Mr. Connolly of Pennsylvania (for) with Mr. Drane (against).
 Mr. Golder (for) with Mr. Williams of Illinois (against).
 Mr. White of Kansas (for) with Mr. Casey (against).
 Mr. McFadden (for) with Mr. Garrett of Texas (against).
 Mr. Smith (for) with Mr. Sabath (against).
 Mr. Leatherwood (for) with Mr. Deal (against).
 Mr. Dyer (for) with Mr. Douglas of Arizona (against).
 Mr. Griest (for) with Mr. Summers of Texas (against).

The result of the vote was announced as above recorded.

The SPEAKER. The question now is on the passage of the bill.

Mr. REID of Illinois. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 254, nays 91, not voting 87, as follows:

[Roll No. 71]

YEAS—254

Abernethy	Dickinson, Iowa	Jeffers	Rankin
Ackerman	Dickinson, Mo.	Johnson, Ill.	Rathbone
Adkins	Dickstein	Johnson, Ind.	Rayburn
Allen	Dominick	Johnson, Okla.	Reece
Allgood	Doughton	Johnson, Tex.	Reed, Ark.
Almon	Douglass, Mass.	Johnson, Wash.	Reed, N. Y.
Arenz	Doutrich	Kemp	Reid, Ill.
Arnold	Dowell	Kerr	Robison, Ky.
Aswell	Doyle	Kincheloe	Romjue
Auf der Heide	Drewry	Kindred	Ruby
Bacon	Driver	King	Rutherford
Bankhead	Dyer	Langley	Sanders, N. Y.
Barbour	Edwards	Lanham	Sanders, Tex.
Beedy	England	Lankford	Sandlin
Bell	Englebright	Lea	Sinclair
Black, N. Y.	Eslick	Leavitt	Sinnot
Black, Tex.	Evans, Mont.	Letts	Sirovich
Bland	Faust	Lindsay	Snell
Bloom	Fish	Linthicum	Somers, N. Y.
Bowling	Fitzgerald, Roy G.	Lowrey	Speaks
Bowman	Fitzgerald, W. T.	Lozier	Spearing
Box	Fitzpatrick	Lyon	Sproul, Ill.
Boylan	Fletcher	McClintic	Stalker
Brand, Ga.	Free	McDuffie	Stegall
Briggs	Fulbright	McKeown	Stedman
Brigham	Fulmer	McMillan	Steele
Britten	Gambrell	McReynolds	Stevenson
Browning	Garber	McSweeney	Summers, Wash.
Buchanan	Gardner, Ind.	Madden	Swank
Buckbee	Garner, Tex.	Major, Ill.	Swing
Bulwinkle	Garrett, Tenn.	Major, Mo.	Tarver
Burtness	Garrett, Tex.	Manlove	Tatgenhorst
Busby	Gasque	Mansfield	Taylor, Colo.
Byrns	Gibson	Martin, La.	Taylor, Tenn.
Canfield	Gilbert	Mead	Thatcher
Cannon	Gregory	Michaelson	Tucker
Carley	Green	Miller	Underwood
Carss	Greenwood	Montague	Udlike
Carter	Griffin	Mooney	Vestal
Cartwright	Guyer	Moore, Ky.	Vinson, Ga.
Cellar	Hadley	Moore, N. J.	Vinson, Ky.
Chapman	Hall, Ill.	Moore, Va.	Ware
Chindblom	Hall, Ind.	Moorman	Warren
Cochran, Mo.	Hall, N. Dak.	Morrow	Weaver
Cohen	Hammer	Murphy	Welch, Calif.
Cole, Md.	Hare	Nelson, Mo.	White, Colo.
Collier	Harrison	Niedringhaus	White, Me.
Collins	Hastings	Norton, N. J.	Whitehead
Colton	Haugen	O'Brien	Whittington
Combs	Hickey	O'Connell	Williams, Ill.
Connelly	Hill, Ala.	O'Connor, La.	Williams, Mo.
Corning	Hill, Wash.	O'Connor, N. Y.	Williams, Tex.
Cox	Hogg	Oliver, Ala.	Wilson, La.
Crisp	Holaday	Oliver, N. Y.	Wilson, Miss.
Crosser	Hope	Palmisano	Wingo
Crowther	Howard, Nebr.	Parks	Winter
Cullen	Howard, Okla.	Peavey	Wolverton
Curry	Huddleston	Peery	Woodrum
Davey	Hull, Morton D.	Pou	Wright
Davis	Hull, Tenn.	Prall	Yon
Dempsy	Hull, Wm. E.	Purnell	Zihlman
Denison	Igoe	Quin	
De Rouen	Irwin	Ragon	
	Jacobstein	Rainey	

NAYS—91

Aldrich	Frear	Korell	Ramseyer
Andresen	Freeman	Kvale	Robinson, Iowa
Bacharach	French	LaGuardia	Rogers
Bachmann	Frothingham	Lampert	Schafer
Beck, Wis.	Furlow	Lehlbach	Schneider
Berger	Gifford	Luce	Sears, Nebr.
Brand, Ohio	Glynn	McLaughlin	Seger
Browne	Goodwin	McLeod	Selvig
Burdick	Hale	MacGregor	Shallenberger
Burton	Hancock	Maas	Simmons
Chalmers	Hardy	Mapes	Strong, Kans.
Christopherson	Hersey	Martin, Mass.	Sweet
Clague	Hoch	Merritt	Taber
Clancy	Hooper	Michener	Thurston
Clarke	Houston, Del.	Morehead	Tilson
Cole, Iowa	Hudson	Morgan	Timberlake
Cooper, Wis.	James	Morin	Vincent, Mich.
Cramton	Johnson, S. Dak.	Nelson, Me.	Wainwright
Davenport	Kading	Nelson, Wis.	Wason
Elliott	Kearns	Newton	Watson
Fenn	Ketcham	Norton, Nebr.	Welsh, Pa.
Fort	Knutson	Parker	Williamson
Foss	Kopp	Pratt	

NOT VOTING—87

Andrew	Cochran, Pa.	Goldsborough	Kurtz
Anthony	Connally, Tex.	Graham	Larsen
Beck, Pa.	Connolly, Pa.	Griest	Leatherwood
Beers	Cooper, Ohio	Hawley	Leech
Begg	Crall	Hoffman	McFadden
Blanton	Dallinger	Hudspeth	McSwain
Bohn	Darrow	Hughes	Magrady
Boies	Deal	Jenkins	Menges
Bowles	Douglas, Ariz.	Jones	Milligan
Bushong	Drane	Kahn	Monast
Butler	Eaton	Kelly	Moore, Ohio
Campbell	Estep	Kendall	Oldfield
Carew	Evans, Calif.	Kent	Palmer
Casey	Fisher	Kiess	Perkins
Chase	Golder	Kunz	Porter

Quayle	Stobbs	Thompson	White, Kans.
Ransley	Strong, Pa.	Tillman	Wood
Rowbottom	Strother	Tinkham	Woodruff
Sabath	Sullivan	Treadway	Wurzbach
Sears, Fla.	Summers, Tex.	Underhill	Wyant
Shreve	Swick	Watres	Yates
Smith	Temple	Weller	

So the bill was passed.

The Clerk announced the following additional pairs:
On the vote:

Mr. Yates (for) with Mr. Begg (against).
Mr. Rowbottom (for) with Mr. Cochran of Pennsylvania (against).
Mr. Hughes (for) with Mr. Evans of California (against).
Mr. Connally of Texas (for) with Mr. Leech (against).
Mr. Hudspeth (for) with Mr. Woodruff (against).
Mr. Fisher (for) with Mr. Watres (against).
Mr. Sears of Florida (for) with Mr. Bohn (against).
Mr. Blanton (for) with Mr. Cooper of Ohio (against).
Mr. Quayle (for) with Mr. Magrady (against).
Mr. Kent (for) with Mr. Swick (against).
Mr. Sullivan (for) with Mr. Anthony (against).
Mr. Larsen (for) with Mr. Temple (against).
Mr. Kunz (for) with Mr. Perkins (against).
Mr. Carew (for) with Mr. Treadway (against).
Mr. Shreve (for) with Mr. Bowles (against).
Mr. Weller (for) with Mr. Ransley (against).
Mr. Milligan (for) with Mr. Tinkham (against).
Mr. Porter (for) with Mr. Wood (against).
Mr. Tillman (for) with Mr. Kurtz (against).
Mr. Oldfield (for) with Mr. Beers (against).
Mr. Drane (for) with Mr. Connolly of Pennsylvania (against).
Mr. Casey (for) with Mr. Golder (against).
Mr. Sabath (for) with Mr. McFadden (against).
Mr. Deal (for) with Mr. Leatherwood (against).
Mr. Douglas of Arizona (for) with Mr. Griest (against).
Mr. Summers of Texas (for) with Mr. Eaton (against).

Until further notice:

Mr. Hawley with Mr. McSwain.
Mr. Kiess with Mr. Jones.
Mr. Smith with Mr. Goldsborough.

The result of the vote was announced as above recorded.

On motion of Mr. REED of Illinois, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. BYRNS. Mr. Speaker, I ask unanimous consent to speak for half a minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. BYRNS. Mr. Speaker, my colleague, Mr. FISHER, of Tennessee, is absent under the care of a specialist. He is heartily in favor of this bill, and if he were present he would have voted "yea." I ask that he may be granted indefinite leave of absence.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EXTENSION OF REMARKS—FLOOD CONTROL

Mr. LOWREY. Mr. Speaker, it is obligatory that this Congress now enact legislation providing for the control of the floods of the Mississippi River and its tributaries. And the obligation rests upon every Member of this body.

Rivers and harbors, interstate and foreign commerce, and United States mails are all matters of Federal responsibility. The Mississippi and its tributaries is a great inland transportation system which, if controlled and utilized, is an invaluable asset to commerce and internal development in time of peace and one of our very greatest elements of national defense in time of war. If left uncontrolled we may expect it at times to block the transportation of passengers, commodities, and mails, sweep away millions of dollars worth of internal improvements, prevent the growth of that section of our country in which lies the highest possibility of our future greatness, and even take the lives of many of our citizens.

Defense of life and property of the citizen is the highest national obligation. It is the very object for which nations exist. All our resources of men and treasure are pledged to it. If we fail to do this we are unworthy to exist as a nation and unworthy of the respect of other nations. This Congress has no more right to fail to cope with this problem than did the Sixty-fifth Congress to fail to provide for the prosecution of the war in which we were engaged at that time.

There is difference of opinion here about the matter of local contributions. We claim to justify the presence of our marines in Nicaragua and China to-day on this principle of the protection of life and property. And we have not asked that those whose lives and property are being protected bear a special part of the cost. Indeed, we sacrificed billions of dollars of treasure and thousands of lives in the World War, and did not ask that those who personally suffered from German submarines bear a special part of the cost.

The principles and precedents are well established whereby we even spend millions of dollars of Federal money on rivers purely for transportation purposes without asking for local

contributions; and on great harbors without asking the cities most directly benefited to bear more than their regular share of the expense.

There is also difference of opinion about the question of provision for the tributaries of the Mississippi. I should say that the unanswerable arguments for control of the Mississippi obtain with equal force for the tributaries. Not only have the people on the tributaries similar dangers and similar rights, but to me it seems unquestionable that the control of the tributaries is an absolute necessity to the effective control of the Mississippi. But other gentlemen have gone fully into this phase of the subject. I shall not take your time. We certainly can not refuse to the people on the tributaries the small request of adequate appropriations for a survey. To do so would be preposterously unjust.

Therefore, Mr. Chairman, by every principle that governs us as a Nation and by every policy that has been followed in legislating on similar matters we should provide amply for the control of the Mississippi River and its tributaries and we should act now. We have no right to fiddle while Rome burns. With thousands of lives and millions of dollars of property constantly exposed to this menace it would be tragic, cruel, and almost criminal for this Congress to adjourn without providing safely and amply against another catastrophe like that of 1927.

Under the permission to extend my remarks, I give here the "SOS to the American Legion," which I have received by mail:

SOS TO EVERY MAN OF THE AMERICAN LEGION

Every man of the American Legion has taken an oath to uphold and defend the Constitution of the United States and to support the welfare of the community, State, and Nation. Hardly a day goes by that his services are not required to perform at least one of these duties which are usually local.

Back in 1917 and 1918 we were called upon to perform a national duty, a duty that took us thousands of miles away from our loved ones, our business, and other interests. We were called upon to make the supreme sacrifice if necessary to perpetuate democracy and crush autocracy. We suffered hardships and deprivations as never before experienced. Billions of dollars were spent for this great cause; thousands of sons and many daughters sacrificed their lives, and millions of loved ones at home suffered irreparable heartaches for those who fought for the love of their country and the principles for which it stands.

Now comes another call, a national call even greater than the one of 1917 and 1918, because this need comes from home. This great country of ours is again in danger. Lives, home, and the health and prosperity of the United States are about to be affected as never before in history. The great Father of Waters, which divides our wonderful country in half and which flows down the greatest and richest valley in the world, has become a source of a grave danger and menace to those who live along its banks as well as those who live in this valley.

We can not afford to let this great old river on one of its spring high-water rampages destroy what required almost centuries to build, to say nothing of the destitution it would bring to tens of thousands of those near and dear to us. The destruction it wrought last spring upon the citizens of this valley was ghastly and horrible. And, fellows, it took place right here in our own beloved United States!

The American Legion of New Orleans appeals to all legionnaires and ex-service men to rally to this national defense. The destruction of life and property and the nonproductivity of this great valley which is bound to occur by the non-Federal control and financing of the Mississippi River will affect our great Nation to its four corners.

Comrades and citizens, this is our country, your country, and my country, and this part of the United States of America is in danger. There has risen a question of mere dollars and cents staked against the lives of our loved ones, the sanctity of the home, and the property of tens of thousands of our citizens. Therefore we should place upon it the most patriotic significance by having our Federal Government issue a gilt-edged bond of protection prompted by even a greater spirit of patriotism than was felt when the first great Liberty loan was floated.

The States along the lower Mississippi River Valley have been practically bankrupt as a result of the destruction wrought by the Father of Waters last spring. If these panic-stricken people are to be taxed for the upkeep of this great body of water which rushes so madly and destructively down its course each spring, we will be obliged to sacrifice all and leave this valley to the vultures of the air to satisfy the whims of a few who say that Uncle Sam is unable to protect the lives and property of those at home, completely forgetting how willingly and forcefully the strong arm of assistance was sent forth across the high seas back in 1918.

We plead with you at once to demand of your representatives in Congress to vote for the Jones flood relief bill, which will place the cost and maintenance of the great levees necessary to keep the Mis-

Mississippi River within her banks at all times squarely on the shoulders of the United States Government.

The national convention of the American Legion has indorsed this action, and, comrades, it is our duty to protect the lives and property of the citizens of our country.

(Signed) L. B. SPACH,
Chairman Flood Relief.

Mr. HERSEY. Mr. Speaker, two great problems are pending before this Congress, one called the Mississippi flood control bill and the other the McNary-Haugen farm relief bill. I wish to call attention very sharply to these two bills and the acts of their friends, which imperil good legislation.

On the 6th day of December, 1927, the President laid before Congress his annual message, and among other things he said:

FLOOD CONTROL

For many years the Federal Government has been building a system of dikes along the Mississippi River for protection against high water. During the past season the lower States were overcome by a most disastrous flood. Many thousands of square miles were inundated, a great many lives were lost, much livestock was drowned, and a very heavy destruction of property was inflicted upon the inhabitants. The American Red Cross at once went to the relief of the stricken communities. Appeals for contributions have brought in over \$17,000,000. The Federal Government has provided services, equipment, and supplies probably amounting to about \$7,000,000 more. Between \$5,000,000 and \$10,000,000 in addition have been provided by local railroads, the States, and their political units. Credits have been arranged by the Farm Loan Board, and three emergency finance corporations with a total capital of \$3,000,000 have insured additional resources to the extent of \$12,000,000. Through these means the 700,000 people in the flooded areas have been adequately supported. Provision has been made to care for those in need until after the 1st of January.

The Engineer Corps of the Army has contracted to close all breaks in the dike system before the next season of high water. A most thorough and elaborate survey of the whole situation has been made and embodied in a report with recommendations for future flood control, which will be presented to the Congress. The carrying out of their plans will necessarily extend over a series of years. They will call for a raising and strengthening of the dike system, with provision for emergency spillways and improvements for the benefit of navigation.

Under the present law the land adjacent to the dikes has paid one-third of the cost of their construction. This has been a most extraordinary concession from the plan adopted in relation to irrigation, where the general rule has been that the land benefited should bear the entire expense. It is true, of course, that the troublesome waters do not originate on the land to be reclaimed, but it is also true that such waters have a right of way through that section of the country, and the land there is charged with that easement. It is the land of this region that is to be benefited. To say that it is unable to bear any expense of reclamation is the same thing as saying that it is not worth reclaiming. Because of expenses incurred and charges already held against this land, it seems probable that some revision will have to be made concerning the proportion of cost which it should bear. But it is extremely important that it should pay enough so that those requesting improvements will be charged with some responsibility for their cost, and the neighborhoods where works are constructed have a pecuniary interest in preventing waste and extravagance and securing a wise and economical expenditure of public funds.

It is necessary to look upon this emergency as a national disaster. It has been so treated from its inception. Our whole people have provided with great generosity for its relief. Most of the departments of the Federal Government have been engaged in the same effort. The governments of the afflicted areas, both State and municipal, can not be given too high praise for the courageous and helpful way in which they have come to the rescue of the people. If the sources directly chargeable can not meet the demand, the National Government should not fail to provide generous relief. This, however, does not mean restoration.

The Government is not an insurer of its citizens against the hazard of the elements. We shall always have flood and drought, heat and cold, earthquake and wind, lightning and tidal wave, which are all too constant in their afflictions. The Government does not undertake to reimburse its citizens for loss and damage incurred under such circumstances. It is chargeable, however, with the rebuilding of public works and the humanitarian duty of relieving its citizens from distress.

The people in the flooded area and their representatives have approached this problem in the most generous and broad-minded way. They should be met with a like spirit on the part of the National Government. This is all one country. The public needs of each part must be provided for by the public at large. No required relief should be refused. An adequate plan should be adopted to prevent a recurrence of this disaster in order that the people may restore to productivity and comfort their fields and their towns.

Legislation by this Congress should be confined to our principal and most pressing problem, the lower Mississippi, considering tributaries

only so far as they materially affect the main flood problem. A definite Federal program relating to our waterways was proposed when the last Congress authorized a comprehensive survey of all the important streams of the country in order to provide for their improvement, including flood control, navigation, power, and irrigation. Other legislation should wait pending a report on this survey. The recognized needs of the Mississippi should not be made a vehicle for carrying other projects. All proposals for development should stand on their own merits. Any other method would result in ill-advised conclusions, great waste of money, and instead of promoting would delay the orderly and certain utilization of our water resources.

On the 8th day of December, 1927, the President sent an additional message to the Congress on flood control, as follows:

To the Congress of the United States:

There is submitted herewith a letter from the Hon. Dwight F. Davis, Secretary of War, transmitting with favorable recommendation the report of Maj. Gen. Edgar Jadwin, Chief of Engineers, containing the plan of the Army Engineers for flood control of the Mississippi River in its alluvial valley.

In my message to the two Houses of Congress at the beginning of the first session of the Seventieth Congress, the flood-control problem of the lower Mississippi and the urgent necessity for its solution were outlined. The general duties and responsibilities of the Federal Government in connection therewith were therein discussed.

The total cost of the recommended project is \$296,400,000, distributed over a period of 10 years. This large sum is manifestly justified by the necessities of the situation and the benefits that will result. In determining the distribution of the costs there must be considered not only the people of the valley itself, who receive the major portion of the benefits, but also the great mass of taxpayers who suffer less directly from Mississippi River floods and upon whom most of the burden of Federal taxation falls. It is axiomatic that States and other local authorities should supply all land and assume all pecuniary responsibility for damages that may result from the execution of the project. It would be revolutionary for the Federal Government to establish the precedent of buying part of the land upon which to build protective works to increase the value of the remainder. Similarly it would be very unwise for the United States in generously helping a section of the country to render itself liable for consequential damages. The Federal Treasury should bear the portion of the cost of engineering structures for flood control that is justified by the national aspects of the problem and the national benefits. It may even bear 80 per cent of such costs, but substantial local cooperation is essential to avoid waste. The portion this would leave to be borne locally for flood-control structures represents an expenditure of about \$3, or 30 cents per year for 10 years for each acre in the alluvial valley to be protected every year from Mississippi River floods. The value per acre, including railroads, towns, cities, and other improvements, is estimated at something over \$200. It would seem that the States should share with the Federal Government the burden of assisting the levee districts and individual property owners, especially in view of the fact that the States benefit directly by the increased taxes from land made more valuable by reason of its protection.

The plan transmitted herewith is comprehensive and appeals to me as being adequate in its engineering. I concur in general in the conclusions and recommendations reached in the report, and suggest that appropriate legislation be enacted putting them into effect.

CALVIN COOLIDGE.

THE WHITE HOUSE, December 8, 1927.

For many days we have been discussing these two messages. There was formed early in the present session of this Congress a combination or bloc, so called; one is the Mississippi flood-control bloc, composed of Representatives and Senators who reside along the Mississippi River and its tributaries which would be affected by flood-control legislation. The other bloc is the old and familiarly known farm bloc of the Wheat and Corn Belt States that is interested in the passage of the McNary-Haugen farm relief bill, which has met much condemnation in the past outside of these farm-relief States, so called. This combination has assumed formidable proportions. The full proceedings in the flood-relief debates show clearly that this combination has been formed for mutual benefits, political and otherwise.

Evidently the understood agreement is that these blocs would combine and put over the flood control bill, making the whole Nation pay everything in the erection, building, and flood-control protection on the Mississippi River and its tributaries, and then join to put over the McNary-Haugen bill in the same vicious form of the last Congress which called for a veto which was approved by the people throughout the land, except by those interested in putting the Nation into business, Government ownership, and price fixing.

Yesterday these blocs, on the eve of a political election, forced through the Mississippi flood control bill forcing the Govern-

ment to pay all the costs, damages, and expense in the building of the levees and other works under this bill, and thereby ignoring the recommendation of the engineers and the bill of the administration and thereby inviting a veto, which they will most certainly have.

It is one of the weaknesses of our form of government that such blocs and combinations can be formed like the old river and harbor pork-barrel legislation—you vote for my project and I will vote for yours, and thus loot the Treasury of the people and extort from one portion of the country tribute for the protection of the wealthy interests of another portion of the country.

In the flood control bill as passed by the Senate and House it can not be claimed for one moment that there is any evidence whatever that the poor man is going to suffer any damages by the engineers' and the President's plan, but it clearly appears that the large landowners along the Mississippi are going to benefit greatly without a cent of cost to themselves in the way of building these new improvements and protections.

Eighteen millions of charity poured in along the Mississippi Valley has taken care of the poor tenant farmer who does not own the land. The building of the levees and other improvements under the plan of the engineers and the President would greatly benefit those who own the land as well as to protect forever these landowners from future floods, yet in spite of all this, when, however, an opportunity is given to a majority interested in this legislation to attain all they want without regard to the Treasury of the United States or the taxes to be imposed upon the whole people, they will not pay much attention to argument and reason, or to the rest of the country. This is one of the sad things in government at the present time. The old pork-barrel river and harbor matters have been by legislation so restricted that they can not now loot the Treasury. Future legislation must in some way provide against these combinations and blocs in legislation that will coerce representatives and Senators to vote for legislation for particular localities to form combinations under the threat that they must vote them into law or they can not be reelected. God save the United States of America!

Mr. CARTWRIGHT. Mr. Speaker, the destruction wrought last spring upon the citizens of the Mississippi Valley was ghastly and horrible. When we consider the fact that the floods affected 31 States of the Union, 41 per cent of the total area of the United States, covered 12,500,000 acres of good land, made 600,000 citizens homeless, and damaged property to the extent of more than \$400,000,000, it is time that a solution for the control of these flood waters be found, or at least the best possible start be made.

In addition to the great destruction, interstate commerce was interfered with and our mail suspended and, all of these items taken into consideration, it has become a national problem. To a certain extent it is an international question. It is the greatest producing region in the world, and every factor which goes to make up the prosperity of the world is seriously affected.

My friends, we should look to flood control in the lower valley, but also to flood prevention, forest and soil conservation, and such other methods as may be found practicable upon the Mississippi and its tributaries. It is just as important and necessary to have floods controlled on tributaries, just as important to protect life and property on tributaries as it is on the seven lower basin States.

In my own State of Oklahoma it has been said that damage was done by this flood to the extent of more than \$20,000,000 on the Arkansas River and its tributaries alone. In addition to this damage, we also suffered greatly from floods from the Red River and its tributaries. These two rivers, with their tributaries, such as the Washita, South Canadian, Boggies, Kiamitta, and other streams in Oklahoma, contribute much to these flood waters. It hurts a farmer just as much to have his crops, land, and property destroyed on one of these rivers in Oklahoma as it would if he lived on the Mississippi. Mr. Speaker, I am strong for flood control, and I have waited patiently for the Flood Control Committee to report a bill, and now it is here. I know the members of the committee have worked long and hard in trying to bring us a bill that will be acceptable. But I believe I speak the sentiment of the majority when I say if the plan only touches the pocketbook of Oklahoma and other tributary States there will not be quite so much sympathetic interest in the bill. I believe the Government should undertake a comprehensive survey of the whole Mississippi River with the idea of discovering, and later utilizing, all practicable means of flood control, including reservoir construction, reforestation, deepening of channels, prevention of erosion, and so on.

Since my mind has not undergone many changes on flood control since I made a speech before the State flood-control conference at Tulsa, Okla., on the 15th of last July, I wish to insert it in the RECORD at this place:

FLOOD CONTROL—ADDRESS BY CONGRESSMAN WILBURN CARTWRIGHT BEFORE THE FLOOD-CONTROL CONVENTION AT TULSA, JULY 15, 1927

Ladies and gentlemen, ever since I was a small plowboy I've been in favor of flood control and irrigation. I was first in favor of damming up the branch in order to conserve its waters for swimming-hole purposes. Later, as I followed old Beck down the parching corn rows, stirring the hot dust with a go-devil or a Georgia sweep, and watching the blazing skies for a sign of a cloud that might bring the rain that meant redemption of the corn crop and meed of prosperity to the farm home, I wondered then why the people through some sort of cooperation could not build a system of reservoirs and canals by and through which the floods could be stored and distributed to the parching fields when the rains failed to fall.

It appears now that my dreams are going to come true; that the great Mississippi Valley flood disaster is the wreck from which the greatest flood control, canal, and irrigation system the world has ever dreamed of is going to spring. I hope there will be wisdom, unselfishness, and energy enough to lay out a plan that will comprehend flood control and irrigation from the western slopes of the Alleghenies to the eastern slopes of the Rockies. It may take billions of dollars and many years of time, but in my opinion it will be a paying proposition from every angle and will mean for this Nation leadership of the earth in agriculture, horticulture, commerce, and manufacturing. And it will mean, as I see it, a Nation without famine and want, no matter what pestilences or misfortunes may befall. The time is not 100 years distant when the products of the soil will be more than ever the foundation upon which will rest the prosperity, happiness, contentment, and well-being of the people of this earth.

Automobiles, airships, railways, and other inventions for the advancement, convenience, and happiness of mankind will all be dependent more than now upon the productiveness of the soil; for out of the soil, after all, come practically all the real necessities for the comfort and happiness of mankind. When the population of this earth becomes so dense that the soil and its productiveness will mean everything to the welfare of the human race, it will then be necessary to make the soil productive in every season whether or not it rains. The agricultural and horticultural world to-day must depend largely upon the seasonable rainfall. Proper flood control, proper water storage, and proper distribution of this stored water will mean bumper crops every year for every section of this Nation. Therefore, my fellow citizens, I am heartily in favor of this Nation, together with the States, solving now and once for all this major problem of this age.

As to what plan or plans are to be followed in this great undertaking, the average citizen does not know, and, in my opinion, should hold an open mind until the experts have somewhere nearly agreed. At any rate, it is my earnest hope that the different States will join wholeheartedly and unselfishly with the National Government in whatever system is decided upon. True, the task is a colossal one and should be approached carefully, unselfishly, and with a determination to solve it thoroughly.

Let me say that I am in favor of Oklahoma joining her flood, storage, and irrigation problem with that of the National Government, and working it out so that the State's great project will dovetail exactly into that of the Nation's. Oklahoma, as I see it, should lay her flood control and irrigation plan broad and deep. She should comprehend every section of the State that it is at all possible to reach. There is no room and no time for cutting corners or becoming niggardly with expenditures and plans. Let our waters be controlled and conserved. Let us prepare to use every drop of extra rainfall possible. Let us harness our rivers and direct them where we will. Let us have both power for commerce, and water for irrigation from these abundant waters. And as we march forward toward the consummation of this great project, let us not forget to keep step with science and progress in the matter of better agriculture and horticulture, and also in the matter of better stock, better poultry, better farms, and better homes. Let us produce in this great Commonwealth empire every necessity and every luxury to satisfy the needs and the tastes of an advancing people.

Oklahoma, properly watered, can live independently within her own boundaries and enjoy practically every luxury in both raiment and food indigenous to the Temperate Zone. This can be done even without inexhaustible resources in mineral deposits, and when we add that into the bargain what more can the most optimistic desire in order to visualize a Commonwealth brimming with prosperity, contentment, and happiness.

And, gentlemen, judging from the success of our great Panama Canal, the colossal Mississippi Valley irrigation project, if properly planned and carried out, should pay for its cost in dollars and cents in a quarter of a century after its completion. Furthermore, it will be the greatest stabilizer, the greatest civilizer, and the greatest educator since the dawn of society. I am for it and behind it with all the powers and energy I can command.

Mr. Speaker, I now ask permission here to insert a letter from my district which gives the farmers' slant on flood control. It is a timely letter and should be carefully considered during the deliberations on this important bill:

COOPERATIVE EXTENSION WORK IN AGRICULTURE
AND HOME ECONOMICS, STATE OF OKLAHOMA,
McAlester, Okla., March 22, 1928.

Re farmer method of flood control.

Mr. WILBURN CARTWRIGHT,
Washington, D. C.

DEAR MR. CARTWRIGHT: Find inclosed some ideas which we discussed over in part in my office concerning flood control. This to me is the biggest service that could be performed by any Congressman, Senator, or President. Flood water properly controlled at its source would mean millions of dollars of saving in soil and plant food. It would mean more economical production and in turn more substantial agriculture and a higher standard of living on the farm.

It is well known and admitted by all engineers that millions of tons of soil high in plant food and which is really the best soil that we have is going down the Mississippi annually. This soil is a direct loss to the farmers, to farm prosperity, to State prosperity, to county prosperity, and to the prosperity of the entire United States. This means millions of dollars lost in the basin of the Mississippi with nothing gained whatever but resultant losses because of this erosion and excess water at the lower Mississippi Valley. If we should spend millions on the lower Mississippi to control floods, we are still, at the same time, losing millions at its source. This in turn makes a double loss and increases taxes of our National Government. If we spend millions in control at the source, these millions are returned each year in greater and more economical production of crops, in the farmer's ability to pay more and to pay his taxes easier, and in greater economic wealth gained by counties and States.

For every million that we spend at the source, any student of the subject will admit that three million can be gained in return, so there is really no expense whatever to the State or Nation if flood waters are controlled at the source. But, on the other hand, if we control flood waters after they have been formed, when it takes millions of dollars for its control, this money is merely dumped into the sea and the loss is doubled and trebled by the continued loss at the source.

In view of the fact that control of the Mississippi River floods is a much-discussed question now before the Congress of the United States, I wish to present the following:

No harmonious scheme has so far been presented which is acceptable to all interests. No scheme of prevention has so far been advanced, but to the contrary all schemes presented look to control and not to prevention.

The Staple Cotton Review, which is the official organ of the Staple Cotton Cooperative Association, in the December issue states, "We ask only to be relieved of the burden of protecting this portion of America against the flood waters of the Nation. * * * What flood control does and all it does, is to keep the surplus river waters from overflowing the land when the river rises above its banks. * * * We have a right to ask that the Nation protect us from floods which originate in the national domain, and to do this not as a favor but as a national duty at national expense. * * * Flood control is either a national duty or it is not a national duty. There should be no recognition of a policy of halfway duties in national problems. * * * As long as we have to depend upon local contributions for cost of construction, we must necessarily also have to allow local participation or even local contributions for a local spillway which destroys local property by the very means employed to protect property elsewhere. It would never be attempted to require a contribution from people along the lower reaches of the Mississippi toward the construction of reservoirs along the tributaries a thousand miles away. The whole theory of local contribution and dual responsibility is illogical, unsound, and impossible of fair and equitable application whether it is for levees, spillways, or reservoirs, and just as inequitable with one as with the other."

A report prepared for and presented to the Chamber of Commerce of the United States on referendum No. 51 says, in part: "To successfully accomplish the greatest benefit to the greatest number at a justified economic burden, there should be cooperation between the Nation, the State, and the property owner, both in the location of the work, extent of expenditure, use of the water, and the extent of control. * * * History seems to prove that control of the Mississippi River should not be left to any single centralized agency, but in the interests of the commercial developments of the United States which the United States Chamber of Commerce should represent, every interest should be considered, every section be represented, every means be employed, every district with its particular interest be served, and both legislation and administration be so widely distributed as to attain a truly national result. * * * Inevitably the cost of such a project would greatly exceed the total value of the protected properties, would give to a very small local area of the United States a protection without cost, but at a great cost to the remainder of the

United States much of which has equal hazard and an equal right to protection."

At the Arkansas-Red River conservation and flood-control convention, in Oklahoma City, November 30, 1927, plans of flood control were discussed. The Army engineers' scheme of control was outlined by Maj. Donald H. Connolly. The impression gained from this discussion was that no scheme of control was worthy of attention, which included territory not immediately adjacent to the flooded area. It seemed to be the opinion of the Army men that flood waters contributed by the State of Oklahoma to the Mississippi River were extremely unlikely to have any effect upon the floods in that river. The contention seemed to be that the flood waters of Oklahoma would reach the Mississippi River long after the flood crest had passed downstream, and therefore could be easily carried by the river without damage. This contention seems rather illogical, in view of the fact that humans have no control over the periods during which floods shall occur. It is quite conceivable that flood waters from Oklahoma or other States could reach the Mississippi at the critical time when the crest of the flood is passing and so increase the crest of the flood waters as to make control well nigh impossible.

I would like to point out here the fact that the opinions of three interests have now been quoted in this letter, and that all are opposed to each other.

An honest-to-goodness dirt farmer attempted to make a speech on the subject at the November convention. This man gave a homely simile to the matter in hand by likening the actions of men in controlling fires to attempts at flood control. He pointed out that usually, as soon as fire appears, every effort is made to stamp it out immediately. We do not wait until one fire starting here, another there, and another yonder have assumed such proportions as to make control doubtful. His plea was that we should attempt flood control in much the same way. It is the opinion of many other farmers in this section that flood control should start at the grass roots. Many farmers in Oklahoma are well acquainted with the beneficial results of erosion control by terracing. There is nothing spectacular in this method; it is largely a matter of hard work; but in the control of erosion it is certainly effective. Erosion control is nothing more or less than flood control applied in a small way on individual farms. The method employed on large areas would undoubtedly be equally effective on a much larger scale.

For a more comprehensive discussion of terracing and its benefits I would refer you to the division of agricultural engineering, Bureau of Public Roads, Washington, D. C.

The National Geographic Magazine, in writing on the subject of the Mississippi floods, made the statement that the floods were actually composed of only 25 per cent of the rainfall of the area. It is an accepted, though unproved, fact that terracing farm lands results in the absorption by the soil of more than 25 per cent additional of the rainfall of the area. The well-worn motto that prevention is better than cure will surely never find better application than in the present issue. The conservation of flood waters in the soil upon which they fall would not only prevent the necessity of control but would add materially to the wealth of the Nation by increased productivity of all farm lands affected. Throughout the Great Plains area soil moisture is the limiting factor of production. By inducing the farmers of this region to conserve the moisture to their own benefit an enormous increase in production per acre per man would eventually result.

I fully realize that the great engineering feats and the great reservoirs that would be formed and the great inland seas that would appear would be wonderful to look at, cost probably a billion dollars, with a loss of thousands of acres of fertile fields, with the lives endangered of all those who live in the valleys below the reservoirs where probably thousands of lives would be snuffed out at any great flood just as they have been by the breaking of the wonderful dam that the city of Los Angeles had built. These feats would be spectacular; they would cost millions of dollars; and they would not in any way justify the expenditure after they had been built.

The farmer method of control is in no way spectacular; each farmer would control his own flood water, where possible, build a pond that would furnish fish the year round, a wonderful source of food supply, no dangerous reservoirs formed, but in turn fertile fields, economic production, and prosperous farmers. If one really stops and thinks about flood control, and sees the benefit that can be derived from controlling it at its source, and then would picture in his mind the disaster and expense that have to be brought about by moving thousands away from the homes they now occupy, flooding the fertile fields of the Mississippi with reservoirs, and in turn endangering the lives of all those who live in these valleys, because these reservoirs are man made and imperfect and little is derived from their presence. In a few years they would be filled by soil deposits and our present danger again arise.

One can hardly conceive of the working of a mind or working of great minds that would choose the latter source; except that they enjoy to do things in a big way and spend millions of dollars of tax money in order to gain a reputation for themselves or their engineering ability. I recommend without any reservation whatever the farmer

method of control, and the man who will sponsor it and who is able to take up this humble banner and carry it through to perfection should in turn be rewarded with the greatest offices that this Nation provides.

County agents and farmers all over the basin are the tools and machinery to work with. All that is needed is leadership and organization. To him who can furnish one or both of these should go the reward for the greatest feat that can be carried on in his age. As to how this can be done is a matter to be worked out probably as a mathematical problem. Personally, I think that the tax-exemption method of a certain per cent of taxes each year on each acre of land terraced and an exemption for each acre-foot of water impounded on the farm would be the correct method of procedure.

Permitting each county to draw on the Federal Government for such taxes as are exempted in the county is a mathematical problem that can probably be worked out in your office. Men who would do spectacular engineering feats will choose the expensive method of flood control. Men who would do a service to humanity and to their Nation without the necessity of reward will choose the flood control at its source.

Respectfully,

E. H. HOUSTON, *County Agent.*

P. S.—I have just read your speech before the House and know how willing and anxious you are to be of service. To me the "farmer method" of flood control is the greatest service that you can render.

I am sending you other articles concerning terracing which will give you an idea as to the interest which it holds in the minds of Oklahoma farmers.

Mr. BRAND of Ohio. Mr. Speaker, the discussion on the floor relative to flood control reveals some facts. The estimates of the value of the land to be used for flood ways by the Government have ranged from \$5 to \$10 per acre up to as high as \$24 per acre.

I understand this land is, of course, in the river bottom and that it is made land for the most part of very great agricultural value, as it represents the cream of the soil washed down by the river and deposited.

As such land is not worth to exceed \$24 per acre, there must be a reason, as agricultural land of this kind is worth at least four times that much in any other territory in the United States.

No doubt the reason that it is estimated at not over \$24 per acre is because of its danger from flood, and this only goes to prove that if we follow out the provisions of this bill that there is a great area that will be made safe from flood conditions and thereby improved in value many times.

The cities and towns in all of this territory will likewise be affected favorably as to value.

We are therefore by this bill increasing the value of the property of individual citizens without securing any contributions from them, but making the entire Nation pay the entire bill.

We are asked to go to all of the expense toward making this improvement, and we are asked to pay all the damage that results from the improvement, and yet the local property pays nothing.

In Ohio we had a disastrous flood in 1913. Heavy rains and cloudbursts followed each other in March of that year when the ground was frozen and the rivers swelled to enormous sizes, and cities like Dayton and Columbus, Ohio, were entirely covered with water, in many cases up to the second story of the houses, and the water came so swiftly that the people were not warned of the danger, and more lives were lost in this flood in Ohio in 1913 than there were lost in the Mississippi flood of 1927.

The property loss in Ohio was immense, but I am unable to give the figures.

Did the people of Ohio come to the Government of the United States and ask that the Federal Government protect their property at Government expense? They did not.

The people affected by the flood went before the Ohio Legislature and asked them to provide a flood-control commission, with power to levy taxes to cover the expense of flood control. This commission went to work to provide against flood in the future and taxed local property at least \$35,000,000 for the improvements that they made.

This commission adopted the reservoir plan, and I would like to point out to the House that a reservoir plan for controlling floods is not a plan which can be used for power generation or for irrigation. The reason is probably clear only to those who will take the trouble to see just how such a flood-control reservoir is built. Perhaps I can make it clear.

A site is selected along the river which can be made into a natural reservoir and a cement wall is put across the river. The remarkable part of the plan is that there is a hole in the cement wall that lets out the capacity of the river all the time and the reservoir is empty all the time except at flood time.

This, of course, makes it of no account as a means of producing power or as a means of irrigation.

I am happy to say that since the location of these dams in the flood area of Ohio that we have had no high waters that have not been adequately handled by these reservoirs. They fill up during the flood and cover the country for a mile or more back from the dam in the river and then in a day or two the water has all escaped through the hole in the dam wall.

The point I wish to make is that in Ohio we have met the flood conditions and have paid the bill ourselves, and with that in mind I am not inclined to vote for this bill which puts all the burden on the United States Government and at the same time improves the property affected.

Mr. MORROW. Mr. Speaker, the passage of the Jones-Reid bill for the control of floods upon the Mississippi River and its tributaries is perhaps by far the most important piece of legislation that has passed Congress for many years. The people of the Nation expect this measure to be construed broad enough so that the purposes which caused its passage will be fully carried out. It is committing the Government to a general plan of flood control upon the Mississippi River with a mere gesture as to a survey of the tributaries which really cause the floods upon the lower basin of that river.

There are many features of the bill, placed therein by amendment, which, if carried out, will broaden the terms of the legislation and will tend to solve in the future the problem of destruction by the river. I refer particularly to the question of surveys of the tributaries of the Mississippi, with the view to securing the construction of impounding dams for water storage upon the upper tributaries for the purpose of flood control.

It is stated in the committee report that an investigation of the flood problem on the Mississippi—which is limited in scope to the application of suggested works along the river and its contiguous banks—can not be classed as an intelligent and thorough treatment of the subject. The committee in charge of preparing this bill consisted of some 21 members, representing nearly every one of the States within the basin of the Mississippi; they had before them the testimony of prominent officials and citizens within the flooded areas. That committee saw fit to report that there were other necessary flood-control features to be considered aside from spillways, flowage rights, and levees.

One of the particular features being the plan of storage reservoirs upon the tributaries of the river, this evident need caused the gentleman from Nebraska [Mr. SHALENBARGER] to introduce an amendment, permitting the construction of reservoirs for impounding of the waters of the Mississippi and its tributaries. The information that floods can be controlled and prevented by such reservoir systems is to be obtained by the President from the Secretary of War, or other agencies of the Government. The amendment failed by only 4 votes of being placed in the bill.

Practically the same amendment was offered by the gentleman from Oklahoma [Mr. HOWARD], and a part of his amendment was adopted in so far as surveys were authorized to be made simultaneously with flood-control work upon the Mississippi River provided for in the act.

It would appear from the attitude of Congress that with more knowledge about this particular feature that the impounding dam or reservoir proposition will be the policy to be followed.

Careful consideration should be given to a paragraph in the report of the Committee on Flood Control. That paragraph states that the ultimate solution of the flood problem of the valley must include also the possible use of flood-control works on these tributaries at their sources, or between the source and the mouth. In the 1927 flood the tributaries contributed more than three-fourths of the flood waters.

It is apparent that if a careful, comprehensive study is made of the reservoir system upon the tributaries of the main stream, and if this water is impounded in reservoirs and used beneficially for reclaiming the arid land and for generating hydroelectricity, the Government need in no instance assume the cost of reservoir construction as a whole.

By proper contract with conservancy districts, formed for that purpose under State authority, the larger if not the entire cost of construction of these impounding dams may be during a term of years repaid to the Government.

If the admissions of those who oppose the reservoir idea are taken to be their absolute honest thought, then the Government is now entering upon an expenditure of perhaps three-fourths of a billion dollars which could have been avoided by the reservoir system. This huge expenditure may be avoided in the future should investigations and data be properly and carefully obtained.

The reservoir system would solve the flood problem of two States which suffer immense damages yearly. The plan should appeal to those in charge of the efforts of the Government to find a correct and broad solution. The States to which I refer are Oklahoma and Arkansas.

From the report of the committee it would appear that it was their opinion that the floods of the lower Mississippi Valley can be controlled by reservoirs at the upper reaches of the tributary sources of the watershed.

The levee system used for nearly half a century has proven inadequate, and the present plan of levees, spillways, and flowage rights may solve the problem for the lower basin of the Mississippi for a period of years. This is accomplished at a huge expense and at a small possible return to the Government; more than a million acres of land are lost for use to the Nation.

The reservoir system must come, and is needed, for many of the States upon the tributaries of the main stream. Such a plan is their only remedy for the solution of the flood-control problem.

Storage reservoirs erected in the Dakotas, Nebraska, Kansas, Colorado, New Mexico, Texas, and Oklahoma will solve the flood situation upon the lower Mississippi and will restore to use millions of acres of agricultural land. Perhaps this land is not needed for the immediate use of the Nation, yet it can be converted into a dairy-producing and beet-culture area. Such dairy products and beet cultivation will not interfere with the present market prices or overproduction. It is only a few years until all our available food-producing land will be so needed. It is further known that this method of utility of waste land can be beneficially employed only by Government assistance and under Government control.

Certainly it is that, under proper Government contracts, this investment by the Government will be repaid.

The committee having in charge the carrying out of the provisions of the bill, should it become a law, must attempt to meet the spirit intended by the legislative bodies. The law must be so interpreted to bring substantial relief to the flooded districts of the Nation. The bill should be so broadly constructed that the menace of future floods may be avoided.

Mr. REED of Arkansas. Mr. Speaker and Members of the House of Representatives, under leave granted, I desire to put in the RECORD some observations upon the major problem before the American people, to wit, that of flood control.

It has been my intention for many weeks to call to the attention of the Members of the House, as well as to the attention of the country, the importance of early legislation along the line of flood control. The reason I have not done so prior to this time is, I have been waiting for those in control of the organization of the House to bring upon the floor of the House, where it could be discussed, at length and amendments proposed thereto, a bill for flood control.

In making speeches in my district last fall I told the people that I did really believe that, owing to the fact that the Mississippi River and her tributaries affected more than 40 per cent of the physical area of the United States, that this gigantic problem of flood control would in no way be considered from a partisan, sectional, or narrow standpoint by those in control of the Seventieth Congress or even the President of the United States. It does seem now that I spoke flatteringly of those in control of legislation in the American Congress. We have been in session more than three months and the President of the United States is now insisting upon local contribution from those affected in the flooded areas, notwithstanding the bill on the calendar of the House known as the Reed bill does not ask for local contributions from the people in the local territories.

In my judgment the bill as reported by the Flood Control Committee of the House is the bill that should be passed by the Congress with proper amendments more properly caring for the tributaries in this system of flood control.

The question of local contributions is either right or wrong. I take the position that it is wrong. The argument is advanced that heretofore the people in the flooded areas have made local contributions in attempting to control the Mississippi River and her tributaries. This is true. Two wrongs will not make one right. There never was any justification or equity in the people making local contributions toward controlling the flood waters of the mightiest stream in the world. This river belongs to the United States in the most essentials. You can not sail your boats of commerce or span the stream with bridges without permission of the Federal Government. Its nature makes it essentially a national problem. There is only one Mississippi River in the world.

The people of the Mississippi Valley have heretofore, due to their great energy and their earnest desire to control the waters

of this stream, made great sacrifices of their personal assets in making local contributions—indeed, without a murmur—but now in many instances their property and their belongings have been swept away by the floods of the spring of 1927, and they are no longer able to contribute as they have heretofore toward controlling the flood waters of the Mississippi River and her tributaries. It seems to me that this Government of ours, the richest government in the world, instead of still insisting upon local contributions should be really appreciative of the contributions heretofore made that in reality and legally speaking, in my judgment, should not have been made; but those in control of both the legislative and executive branches of our Government should without hesitation be glad at this late hour to assume complete and full control of this mighty project and act accordingly.

I recall that the President of the United States sent the Secretary of Commerce, Mr. Hoover, to visit the flooded areas during the time the flood was on and immediately after the flood had ceased. It was understood by the people of the Mississippi Valley that the Secretary of Commerce was the personal representative of the Chief Executive of this Nation. I certainly think this course of sending a representative to go over the premises was a wise one. It is to be regretted, however, that the President of the United States himself did not go over these premises during the floods or immediately thereafter. I attended, with other Members of Congress from Arkansas, a great gathering of the people in the capital of my State on the statehouse lawn in Little Rock, Ark., this past summer. There were probably 10,000 people present on that occasion. Both of our United States Senators were there, and many other men of distinction. Mr. Secretary Hoover, of course, was the principal guest of the evening. He spoke at great length, and amid the enthusiasm of perhaps every person present, we watched his speech carefully. In that speech the Secretary of Commerce, Mr. Hoover, plainly stated that the Mississippi River and her tributaries were not a local but a national question. He proposed that the Federal Government should and would assume complete control of it in order that the devastation that accompanied the floods of 1927 would never again occur in the history of this Republic. Mr. Hoover did not mention or intimate that the local people would be called upon for any contribution whatsoever.

Now, when the legislation is at hand we find the Secretary of Commerce, Mr. Hoover, either lined up with the President or mum upon the question of local contributions. He is either fishing in Florida or contesting for State delegations for the presidential nomination with favorite sons in Ohio, Indiana, and other States, while those of us who relied upon him are completely disappointed. It reminds one of the old expression, "Where, oh where is Roderick Dhu when one blast from his bugle to-day" would or should mean so much for the people whom he led to believe he would do his utmost to help.

I deem it necessary to put into the RECORD the best data I can get upon the losses that occurred during the last flood in the sixth district of Arkansas, the district I have the honor to represent in this Congress:

ARKANSAS COUNTY	
400 houses destroyed and damaged.....	\$320,000
10 stores destroyed and damaged.....	10,000
400 barns destroyed and damaged.....	100,000
200 other buildings destroyed and damaged.....	20,000
Damage to merchandise.....	10,000
Damage to farm implements.....	3,000
Damage to feed.....	3,000
Damage to seed.....	2,000
Damage to household goods.....	50,000
10 horses and mules lost.....	1,000
25 cattle lost.....	500
250 hogs lost.....	2,500
350 poultry lost.....	175
Cost of replanting.....	13,600
Loss of rents on lands not cultivated by reason of overflow.....	200,000
Business losses.....	250,000
Damage to growing crops.....	100,000
Total property damage.....	1,145,775
CLEVELAND COUNTY	
10 houses damaged.....	3,000
3 barns damaged.....	600
2 other buildings destroyed.....	600
20 other buildings damaged.....	2,000
Damage to farm implements.....	1,000
Damage to feed.....	10,000
Damage to seed.....	100
Damage to household goods.....	500
10 horses and mules lost.....	1,000
25 cattle lost.....	625
500 hogs lost.....	5,000
50 sheep and goats lost.....	100
500 poultry lost.....	500
Cost of replanting.....	5,000
Damage to land by washing and spreading of obnoxious grasses.....	1,000

Loss of rents on lands not cultivated by reason of overflow	\$500
Business losses	20,000
Damage to growing cotton crop	5,000
Damage to private roads and bridges	1,000
Damage to private ditches and drains	1,000
Total property damage	58,525

DREW COUNTY

10 horses and mules lost	1,250
10 cattle lost	400
Business losses	10,000
Total property damage	11,650

DESHA COUNTY

3,000 houses destroyed	1,500,000
3,000 houses damaged	900,000
35 stores destroyed	26,250
165 stores damaged	82,500
5 gins destroyed	50,000
5 gins damaged	5,000
500 barns destroyed	300,000
500 barns damaged	150,000
6,000 other buildings destroyed	600,000
Damage to merchandise	75,000
Damage to baled cotton	175,000
Damage to farm implements	20,000
Damage to automobiles	45,000
Damage to feed	125,000
Damage to seed	50,000
Damage to household goods	1,800,000
3,000 horses and mules lost	300,000
2,800 cattle lost	56,000
3,500 hogs lost	35,000
350 sheep and goats lost	1,050
10,000 poultry lost	5,000
Cost of replanting	100,000
Damage to land by washing and spreading of obnoxious grasses	375,000
Loss of rents on lands not cultivated by reason of overflow	500,000
Damage to 100 miles of fence	15,000
Business losses	1,000,000
Damage to growing cotton crops	500,000
Damage to other growing crops	150,000
Damage to private roads and bridges	50,000
Damage to matured crops	20,000
Damage to school buildings and equipment	15,000
Total property damage	9,025,800

GARLAND COUNTY

12 houses destroyed	7,200
6 houses damaged	2,400
5 stores destroyed	3,000
2 stores damaged	400
12 barns destroyed	300
6 barns damaged	750
Damage to merchandise	6,000
Damage to farm implements	2,500
Damage to feed	4,000
Damage to household goods	6,000
20 horses and mules lost	2,000
40 cattle lost	800
75 hogs lost	750
250 poultry lost	125
Cost of replanting	15,000
Damage to land by washing and spreading of obnoxious grasses	125,000
Loss of rents on lands not cultivated by reason of overflow	5,000
Damage to 35 miles of fence	7,000
Business losses	100,000
Damage to growing cotton crop	25,000
Damage to other growing crops	25,000
Damage to private roads and bridges	1,250
Damage to private ditches and drains	1,250
Total property damage	343,425

HOT SPRING COUNTY

40 houses damaged	6,000
20 barns destroyed	8,000
20 barns damaged	2,000
75 other buildings destroyed	3,750
Damage to farm implements	5,000
Damage to feed	10,000
100 horses and mules lost	10,000
1,000 cattle lost	20,000
1,000 hogs lost	8,000
Cost of replanting	15,000
Damage to land by washing and spreading of obnoxious grasses	150,000
Loss of rents on lands not cultivated by reason of overflow	90,000
Damage to 40 miles of fence	2,000
Business losses	500,000
Damage to growing cotton crop	400,000
Damage to other growing crops	50,000
Damage to private roads and bridges	5,000
Damage to private ditches and drains	2,000
Total property damage	1,286,750

JEFFERSON COUNTY

10 houses destroyed	20,000
500 houses damaged	15,000
5 stores destroyed	7,500
100 stores damaged	10,000
20 gins damaged	10,000
5 barns destroyed	2,500
50 barns damaged	2,500
200 other buildings destroyed	3,100
2,000 other buildings	8,000
Damage to merchandise	3,000

Damage to baled cotton	\$7,500
Damage to oil mills	5,000
Damage to farm implements	7,000
Damage to automobiles	1,000
Damage to feed	5,000
Damage to seed	1,000
Damage to household goods	2,000
10 horses and mules lost	1,000
15 cattle lost	1,250
700 hogs lost	7,000
50 sheep and goats lost	250
500 poultry lost	500
Cost of replanting	15,000
Damage to land by washing and spreading of obnoxious grasses	25,000
Loss of rents on lands not cultivated by reason of overflow	50,000
Damage to fences	4,000
Business losses	75,000
Damage to growing cotton crop	50,000
Damage to other growing crops	10,000
Damage to private roads and bridges	5,000
Damage to private ditches and drains	3,000
Damage to matured crops	2,000
Total property damage	358,100

LINCOLN COUNTY

12 houses destroyed	15,000
200 houses damaged	10,000
1 store destroyed	7,000
Damage to merchandise	5,000
Damage to baled cotton	2,000
Damage to farm implements	500
Damage to feed	10,000
Damage to seed	3,000
105 horses and mules lost	10,500
200 cattle lost	2,400
600 hogs lost	4,800
10 sheep and goats lost	25
2,500 poultry lost	1,875
Cost of replanting	5,000
Damage to land by washing and spreading of obnoxious grasses	5,000
Loss of rents on lands not cultivated by reason of overflow	15,000
Damage to 10 miles of fence	2,000
Business losses	50,000
Damage to growing cotton crop	5,000
Damage to other growing crops	3,000
Total property damage	156,650

LONOKE COUNTY

50 houses damaged	5,000
1 barn destroyed	500
10 barns damaged	500
Damage to feed	10,000
Damage to seed	4,000
Damage to household goods	3,500
2 horses and mules lost	200
25 cattle lost	1,250
1,500 poultry lost	1,200
100 hogs lost	1,500
Cost of replanting	75,000
Damage to land by washing and spreading of obnoxious grasses	50,000
Loss of rents on lands not cultivated by reason of overflow	50,000
Damage to growing crop	5,000
Damage to private roads and bridges	3,500
Damage to private ditches and drains	50,000
Total property damage	261,150

DALLAS COUNTY

By personal contact, telegrams, and letters I have attempted to get in touch with the situation to ascertain the amount of damages in Dallas County, and from such information available I can state that the damages to this county were more than \$40,000.

SALINE COUNTY

By using the same means to ascertain the amount of damages for the county of Saline caused by the flood of 1927 the best estimate I can make is that the damages amount to more than \$200,000.

GRANT COUNTY

By using the same information I have used in ascertaining the damages done in the other counties during the flood of 1927 my estimate of the amount of damage for the county of Grant is \$50,000.

The total amount of damages, as near as can be ascertained, for the 12 counties embracing the sixth congressional district of Arkansas is \$12,937,825.

This gross amount of damage that occurred by reason of the 1927 flood is obtained from the best authorities I can get on the subject. I can state that it is not overestimated, but the converse is probably true.

In addition to the excessive loss of personal property there was much damage done by reason of land being washed away and otherwise injured, and last, but not least, many lives were lost, there being 98 deaths in the State of Arkansas alone by reason of these floods.

I have attended many of the hearings before the Fool Control Committee of the House of Representatives and I can state that I do believe that committee has worked as hard as any committee ever worked and has diligently sought to bring forth a

bill that, if enacted into a law with some amendments more properly caring for the tributaries, would make it physically impossible for these floods to occur again.

I will not attempt to discuss the physical or engineering features of this mighty project, but I do know that the greatest engineering minds of our country are supporting the plan outlined in the House bill.

During the preparation of these observations the House of Representatives has passed, by a vote of 254 for and 91 votes against, Senate bill 3740, known as the Jones bill, with many of the features of the Reid bill being adopted to said Senate bill. While this bill is hardly all that we had hoped would pass the House of Representatives, all matters considered, I think this a good bill. I do believe that when this bill is finally put into operation that it will forever prevent the menace of floods on the Mississippi River and her tributaries.

Of course, this bill is still before the American Congress and will now go to the Senate, where we believe the amendments adopted by the House will be concurred in by the Senate. The author of the bill, Senator JONES, of the State of Washington, has stated in public print that the amendments adopted by the House would, in his judgment, strengthen the bill.

It is still urged by some of the administration's leaders that the President will veto this bill. It is urged that the President will veto the bill because the bill does not provide sufficiently for local contributions, and further because the bill does not provide for the upkeep of certain projects after same have been constructed by the Federal Government. Leaders for the administration state there are other objections on behalf of the President of a similar import.

I do not believe the President of the United States will veto this bill, which will doubtless be before the Congress for many days yet, but when it finally reaches the President's hand I do not believe that the President of this great Republic with the light that will be before him at that time will veto and strike down the relief offered in the bill. As stated, this bill may be far from perfect, but it does embrace the work of those of us who have done the best we could to remedy an evil that is recognized to be the great, gigantic problem of America to-day. It is not necessary to comment upon the necessity for legislation along this line; it is conceded in every part of America. It is not necessary to pick out specific instances where it is the duty of the Government of the United States to go to the relief of the affected territory. Suffice it to say that more than two-thirds of the Members of the House have subscribed their names to a bill that in the main will give protection in the future to our people who so richly deserve it.

Future Congresses will doubtless be called upon and doubtless should be called upon to enact statutes perfecting the plan as outlined in this bill. It was said on the floor of the House that before the plans as outlined in this bill are carried out it will cost the Government more than a billion dollars. To my mind, this is no argument against it. We only have one Mississippi River; it is our river, it is the Federal Government's river, and it is our duty to assume the responsibility.

Since the signing of the Declaration of Independence, as a whole the leaders of thought of this Nation have attempted to study the problems we have with us and to properly analyze and solve them, whether they be problems of war or questions before us in peace time. The passage of this bill and the putting into operation thereof will not require the physical bravery which has actuated our great generals in the past, but it does and will require the expenditure of a vast sum of money and it will require an exemplification of the best engineering thought of the world. No one can state that those charged with the promulgation of this plan have acted hastily. For more than six months the Committee on Flood Control has been taking testimony not only with reference to the damages caused by the flood of 1927 but with a view of finding a plan that will prevent a recurrence, or even more, an overflow whereby the slightest damage may occur. Thousands of witnesses have been heard, thousands of dollars expended in an honest endeavor to accumulate data upon which to act. And now that the Congress has acted let our people enter into the operation of this plan whole-heartedly with full confidence in the ability and integrity of those called upon officially to carry out the provisions of this bill.

Mr. GARBNER. Mr. Speaker and Members of the House, the States of Oklahoma, Kansas, Texas, New Mexico, and Colorado, members of the Interstate Commission for the Control of the Arkansas and the Red Rivers, have through noted civilian engineers studied the reservoir question with a view of holding back the flood run-off from a sufficient part of the drainage basin to enable the river and its major tributaries to safely pass the remaining storm water.

They started on a theory of holding back the run-off from one-third of the area, but developed their plan to the control of something more than 40 per cent of any possible flood run-off, and of more than 50 per cent of the basin area. So far, no reported storm has ever covered the entire two basins, which comprise nearly one-fourth of the Mississippi Valley.

The civilian engineers' plan was exactly the opposite of the Army engineers' plan, the plan of the civilian engineers being to keep the floods out of the river and the Army plan being to let the floods into the river and there undertake to capture or control them.

The civilian plan resulted in the adoption of approximately 200 sites for reservoirs distributed throughout the drainage basin of the two rivers, keeping on the tributaries and off the main stem of the stream so that no storm on the basin could escape the control.

The surveys being made and the costs being carefully calculated, it developed that complete and assured control of the entire basin of the two rivers could be accomplished by the widely distributed reservoirs at a cost of approximately \$100,000,000, which is about half the amount of money suggested by the Army engineers to care for the waters after they reach the so-called alluvial valley.

These two rivers furnished something more than half of the flood of 1927, and had these two rivers been under control the overflow of 1927 would not have occurred and the entire lower country would have been saved.

Considering the area and the character of the country, the length of the rivers, the average annual rainfall, and seasonal conditions, very competent engineers have estimated that the corresponding and equal control of the Missouri River, of three times the area, but much less flood flow, could be handled at about \$165,000,000; that the upper Mississippi could be kept within bank limits for \$40,000,000, and that the Ohio and tributaries could be completely reservoirized to keep it within undestructive bank limits for \$250,000,000; so that the total prospective cost of reservoir control by the civilian plan for the entire Mississippi Valley should be somewhere between \$500,000,000 and \$600,000,000.

A large part of this would be reimbursed in the course of years, the greatest reimbursement being the introduction into the country of dependable bodies of water where water does not exist, as promotive of the pleasures and enjoyments of life, fish and game production, and comfort accessible to people. One who has not lived in the interior has no comprehension of the value of this use. In the very far West, irrigation and tree growing would ultimately—after 20 years or more, which is a short period in governmental life—repay the outlay.

Finally, the regulated flow of these rivers would assure navigation to an extent never before known or enjoyed; would stop the washing out of the river banks and levees by the high floods, make dredging of bars and revetting and riprapping of the banks unnecessary. It is thus shown to be more advisable than the other plans of Mississippi River control.

It is also much cheaper. I know of no civilian engineer who has figured the cost of the Jadwin plan at less than \$1,000,000,000, and the more general opinion is \$1,500,000,000. Outside of initial money outlay, it takes out of the lower Mississippi Valley 10,000 square miles, or one-third of the valley, and dedicates it to flood ways. It is really turning back to the river for flood use a greater part of the Mississippi Valley than the river would ever overflow if there had never been built a single foot of levees. Stated in the reverse, it means that after having spent \$500,000,000 to keep the Mississippi River off of the lower valley it is now proposed to spend over a billion dollars to turn it back into the occupation of more of the valley than it in nature occupied.

The reservoir board of the United States Army did make a report on reservoirs last year after two or three months of conjecture, but without any work. The interstate commission submitted to them its maps, figures, locations, and estimates, both of cost and effect. Some of the members of the board have admitted that the distributed reservoirs would have the effect stated and would cost substantially as estimated, but the reservoir board abandoned on the Arkansas and Red River Basins almost the entire work that has been laboriously and painstakingly done the past eight years, and at an expense of several hundred thousand dollars, and substituted, conjectured, or projected reservoirs across the main stems of the big rivers like the Red, the Arkansas, the Missouri, and the Mississippi, as, for instance, they placed one reservoir across the Mississippi just above Cairo, one across the Missouri just above the confluence of the Mississippi and several others in the main stem of such rivers, to which no civilian engineer yet interviewed has given approval. The effect credited to such reservoirs was

then given as very inadequate to accomplish flood control and the cost as prohibitive.

The work of the Interstate Commission on the Arkansas and Red Rivers was the work of a hundred or more very competent civil engineers, who had spent a lifetime in the practice of their profession. The work has been scrutinized, considered, and discussed by some of the most distinguished engineers in America, and has met the approval of everyone to whom it has been submitted, both as to cost and effect.

Considering the area alone, the cost of the Army plan approximates \$1,000 per square mile of the Mississippi Valley. The cost of the Mississippi River plan is approximately \$700 per square mile. The cost of the reservoir plan on the Arkansas and the Red Rivers, the two most dangerous rivers of the Mississippi tributaries and furnishing more than half of the 1927 flood, is \$360 per square mile. Considered specifically as to the 1927 flood on the Arkansas River, which contributed more than half of the damage, the storm area of the 1927 flood would have been controlled under the reservoir plan of the interstate commission at a cost of about \$21,000,000. That is to say, \$21,000,000 would, put into the reservoirs selected by the engineers for the interstate commission, have prevented the Arkansas flood of 1927, which in turn would have prevented the Mississippi flood of 1927, the destruction of which has been given as from \$400,000,000 to \$800,000,000.

Charging against the Arkansas only half of the destruction of the 1927 flood, it could have been prevented by reservoirs at one-twentieth of the cost of destruction in that one year.

All these matters were fairly and fully presented to the Army engineers, but were discarded for the suggested plan of buying half of the lower river valley for the river and walling the flood waters off the other half.

In point of time, the Army plan contemplates 10 years before any effect could be had, as the chain is not completed without the last link. Every reservoir installed has immediate effect. The entire Arkansas and Red River Basins, practically one-fourth of the area and actually the dangerous half of the Mississippi flood, could be installed in two years. Nine-tenths of it could be installed the first year after the money was available. Four of the reservoirs are large enough to probably require two years to complete. However, their incompleteness would not impair the effect of the others that could be completed in a year's time. Moreover, a break anywhere in the levee chain on a floodway chain destroys the whole chain. A loss of one reservoir does not interfere with another one.

If the levee system proves insufficient or inadequate, the entire system must be increased to supply the adequacy along the whole length of the levees, 1,800 miles. If the reservoir system proves inadequate, additional reservoirs may be installed without in any way affecting the other works, other than to make them safer, as the civilian engineers stay away from the main stream and control the drainage area, the antithesis of the Army engineers keeping on the main stream and fighting the flood after it has accumulated.

The civilian plan places the reservoirs generally on unused and inexpensive land, where no economic loss is entailed and no expensive improvements must be changed. The Army plan sacrifices the richest of the Mississippi Valley and necessitates changes of railroads, highways, and other improvements, easily figured more than \$100,000,000. In other words, the rearrangement of utilities alone under the Army plan exceeds the carefully calculated cost of complete control of the Arkansas and the Red Rivers under the civilian plan.

The interstate commission is prepared to submit what ought to be satisfactory proof that the reservoir plan is the cheapest, quickest, safest, more logical, and most certain of all plans suggested. In addition, it protects the properties in the valley of the river above the alluvial basin, where vastly greater property losses occur and much greater public inconvenience and interruption of commerce occur, and where greater national benefits would be received than from the installation of the Army plan.

EXTENSION OF REMARKS

Mr. REID of Illinois. Mr. Speaker, when I made the request the other day that Members might have five days within which to extend their remarks in the RECORD upon this bill, I made it for five days from that time. I ask unanimous consent to extend that now to five days from to-day.

The SPEAKER. The gentleman from Illinois asks unanimous consent that all Members may have five days from to-day within which to extend their own remarks in the RECORD upon this bill. Is there objection?

There was no objection.

Mr. MAJOR of Illinois. Mr. Speaker, I ask unanimous consent to print in the RECORD in connection with the extension of my remarks upon the bill two newspaper editorials and some letters.

The SPEAKER. The gentleman from Illinois asks unanimous consent to extend his remarks in the RECORD by quoting from newspaper editorials on this bill. Is there objection?

Mr. MADDEN. Mr. Speaker, I insist that any extension of remarks upon this subject shall be the remarks of the individual who makes them, without newspaper clippings or anything.

Mr. LAGUARDIA. How about the law on the subject?

Mr. MADDEN. Well, there is no law on this subject.

Mr. MAJOR of Illinois. What about witnesses who testified before the committee?

Mr. MADDEN. The gentleman means he wants to quote their testimony? I do not think we ought to have the testimony repeated. There have been thousands of pages of it. I think we ought to confine these extensions to the remarks of gentlemen who made them.

The SPEAKER. The gentleman from Illinois objects.

PENSIONS—WITHDRAWAL OF A CONFERENCE REPORT

Mr. ELLIOTT. Mr. Speaker, I ask unanimous consent to withdraw from the files of the House a conference report which I filed yesterday on the Senate bill 2900.

The SPEAKER. The gentleman from Indiana asks unanimous consent to withdraw from the files of the House a conference report upon the bill referred to. Is there objection?

There was no objection.

PRINTING OF THE BILL

Mr. REID of Illinois. Mr. Speaker, I ask unanimous consent that the bill as it passed to-day—that is, including the amendments—be printed in the RECORD.

The SPEAKER. The gentleman asks unanimous consent that the bill be printed in the RECORD as it passed to-day. Is there objection?

There was no objection.

Mr. REID of Illinois. Mr. Speaker, would that include also an order for the printing of the bill otherwise than in the RECORD? If not, I ask that that be done.

The SPEAKER. The gentleman from Illinois asks unanimous consent that the bill may be printed as it passed to-day. Is there objection?

There was no objection.

The bill is as follows:

An act (S. 3740) for the control of floods on the Mississippi River and its tributaries, and for other purposes

Be it enacted, etc., That the project for the flood control of the Mississippi River in its alluvial valley and for its improvement from the Head of the Passes to Cape Girardeau, Mo., in accordance with the engineering plan set forth and recommended in the report submitted by the Chief of Engineers to the Secretary of War dated December 1, 1927, and printed in House Document No. 90, Seventieth Congress, first session, is hereby adopted and authorized to be prosecuted under the direction of the Secretary of War and the supervision of the Chief of Engineers: *Provided*, That a board to consist of the Chief of Engineers, the president of the Mississippi River Commission, and a civil engineer chosen from civil life, to be appointed by the President, by and with the advice and consent of the Senate, whose compensation shall be fixed by the President and be paid out of the appropriations made to carry on this project, is hereby created; and such board is authorized and directed to consider the engineering differences between the adopted project and the plans recommended by the Mississippi River Commission in its special report dated November 28, 1927, and after such study and such further surveys as may be necessary, to recommend to the President such action as it may deem necessary to be taken in respect to such engineering differences, and the decision of the President upon all recommendations or questions submitted to him by such board shall be followed in carrying out the project herein adopted. The board shall not have any power or authority in respect to such project except as hereinbefore provided. Such project and the changes therein, if any, shall be executed in accordance with the provisions of section 8 of this act. Such surveys shall be made between Baton Rouge, La., and Cape Girardeau, Mo., as the board may deem necessary to enable it to ascertain and determine the best method of securing flood relief in addition to levees, before any flood-control works other than levees and revetments are undertaken on that portion of the river: *Provided*, That all diversion works and outlets constructed under the provisions of this act shall be built in a manner and of a character which will fully and amply protect the adjacent lands: *Provided further*, That pending completion of any flood way, spillway, or diversion channel the areas within the same shall be given the same degree of protection as is

afforded by levees on the west side of the river contiguous to the levee at the head of said flood way, but nothing herein shall prevent, postpone, delay, or in anywise interfere with the execution of the project on the east side of the river, including raising, strengthening, and enlarging the levees on the east side of the river. The sum of \$325,000,000 is hereby authorized to be appropriated for this purpose.

All unexpended balances of appropriations heretofore made for prosecuting work of flood control on the Mississippi River in accordance with the provisions of the flood control acts approved March 1, 1917, and March 4, 1923, are hereby made available for expenditure under the provisions of this act, except section 13.

SEC. 2. That it is hereby declared to be the sense of Congress that the principle of local contributions toward the cost of flood-control work, which has been incorporated in all previous national legislation on the subject, is sound, as recognizing the special interest of the local population in its own protection, and as a means of preventing inordinate requests for unjustified items of work having no material national interest. As a full compliance with this principle in view of the great expenditure, estimated at approximately \$292,000,000, heretofore made by the local interests in the alluvial valley of the Mississippi River for protection against the floods of that river; in view of the extent of national concern in the control of these floods in the interests of national prosperity, the flow of interstate commerce, and the movement of the United States mails; and, in view of the gigantic scale of the project, involving flood waters of a volume and flowing from a drainage area largely outside the States most affected, and far exceeding those of any other river in the United States, no local contribution to the project herein adopted is required.

SEC. 3. Except when authorized by the Secretary of War upon the recommendation of the Chief of Engineers, no money appropriated under authority of this act shall be expended on the construction of any item of the project until the States or levee districts have given assurances satisfactory to the Secretary of War that they will (a) maintain all flood-control works after their completion, except controlling and regulating spillway structures, including special relief levees; maintenance includes normally such matters as cutting grass, removal of weeds, local drainage, and minor repairs of main river levees; (b) agree to accept the title to land turned over to them under the provisions of section 4; (c) provide, without cost to the United States, all rights of way for levee foundations and levees on the main stem of the Mississippi River between Cape Girardeau, Mo., and the Head of Passes.

No liability of any kind shall attach to or rest upon the United States for any damage from or by floods or flood waters at any place: *Provided, however,* That if in carrying out the purposes of this act it shall be found that upon any stretch of the banks of the Mississippi River it is impracticable to construct works for the protection of adjacent lands, and that such adjacent lands will be subject to damage by the execution of the general flood-control plan, it shall be the duty of the board herein provided to cause to be acquired on behalf of the United States Government either the absolute ownership of the lands so subjected to overflow, or floodage rights over such land.

SEC. 4. The United States shall provide flowage rights for destructive flood waters that will pass by reason of diversions from the main channel of the Mississippi River and shall control, confine, and regulate such diversions.

The Secretary of War may cause proceedings to be instituted for the acquirement by condemnation of any lands, easements, or rights of way which, in the opinion of the Secretary of War, are needed in carrying out this project, the said proceedings to be instituted in the United States district court for the district in which the land, easement, or right of way is located. In all such proceedings the court, for the purpose of ascertaining the value of the property and assessing the compensation to be paid, shall appoint three commissioners, whose award, when confirmed by the court, shall be final. When the owner of any land, easement, or right of way shall fix a price for the same which, in the opinion of the Secretary of War is reasonable, he may purchase the same at such price; and the Secretary of War is also authorized to accept donations of lands, easements, and rights of way required for this project. The provisions of sections 5 and 6 of the river and harbor act of July 18, 1918, are hereby made applicable to the acquisition of lands, easements, or rights of way needed for works of flood control: *Provided,* That the title to any land acquired under the provisions of this section, and used in connection with the works authorized by this act, shall be turned over without cost to the States or levee districts, which shall retain the same for the purposes specified in this act.

SEC. 5. Subject to the approval of the heads of the several executive departments concerned, the Secretary of War, on the recommendation of the Chief of Engineers, may engage the services and assistance of the Coast and Geodetic Survey, the Geological Survey, or other mapping agencies of the Government, in the preparation of maps required in furtherance of this project, and funds to pay for such services may be allotted from appropriations made under the authority of this act.

SEC. 6. Funds appropriated under authority of section 1 of this act may be expended for the prosecution of such works for the control of the floods of the Mississippi River as have heretofore been authorized and are not included in the present project, including levee work on the Mississippi River between Rock Island, Ill., and Cape Girardeau, Mo., and on the outlets and tributaries of the Mississippi River between Rock Island and Head of the Passes in so far as such outlets or tributaries are affected by the backwaters of the Mississippi: *Provided,* That for such work on tributaries the States or levee districts shall provide rights of way without cost to the United States, contribute 33½ per cent of the cost of the works, and maintain them after completion: *And provided further,* That not more than \$10,000,000 of the sum authorized in section 1 of this act shall be expended under the provisions of this section.

In an emergency funds appropriated under authority of section 1 of this act may be expended for the maintenance of any levee when it is demonstrated to the satisfaction of the Secretary of War that the levee can not be adequately maintained by the State or levee district.

SEC. 7. That the sum of \$5,000,000 is authorized to be appropriated as an emergency fund to be allotted by the Secretary of War on the recommendation of the Chief of Engineers, in rescue work or in the repair or maintenance of any flood-control work on any tributaries of the Mississippi River threatened or destroyed by flood, including the flood of 1927.

SEC. 8. The project herein authorized shall be prosecuted by the Mississippi River Commission under the direction of the Secretary of War and supervision of the Chief of Engineers and subject to the provisions of this act. It shall perform such functions and through such agencies as they shall designate after consultation and discussion with the president of the commission. For all other purposes the existing laws governing the constitution and activities of the commission shall remain unchanged. The commission shall make inspection trips of such frequency and duration as will enable it to acquire first-hand information as to conditions and problems germane to the matter of flood control within the area of its jurisdiction; and on such trips of inspection ample opportunity for hearings and suggestions shall be afforded persons affected by or interested in such problems. The president of the commission shall be the executive officer thereof and shall have the qualifications now prescribed by law for the Assistant Chief of Engineers, shall have the title brigadier general, Corps of Engineers, and shall have the rank, pay, and allowances of a brigadier general while actually assigned to such duty: *Provided,* That the present incumbent of the office may be appointed a brigadier general of the Army, retired, and shall be eligible for the position of president of the commission if recalled to active service by the President under the provisions of existing law.

The salary of the president of the Mississippi River Commission shall hereafter be \$10,000 per annum, and the salary of the other members of the commission shall hereafter be \$7,500 per annum. The official salary of any officer of the United States Army or other branch of the Government appointed or employed under this act shall be deducted from the amount of salary or compensation provided by, or which shall be fixed under, the terms of this act.

SEC. 9. The provisions of sections 13, 14, 16, and 17, of the river and harbor act of March 3, 1899, are hereby made applicable to all lands, waters, easements, and other property and rights acquired or constructed under the provisions of this act.

SEC. 10. That it is the sense of Congress that the surveys of the Mississippi River and its tributaries, authorized pursuant to the act of January 21, 1927, and House Document No. 308, Sixty-ninth Congress, first session, be prosecuted as speedily as practicable, and the Secretary of War, through the Corps of Engineers, United States Army, is directed to prepare and submit to Congress at the earliest practicable date projects for flood control on all tributary streams of the Mississippi River system subject to destructive floods, which projects shall include: The Red River and tributaries, the Yazoo River and tributaries, the White River and tributaries, the St. Francis River and tributaries, the Arkansas River and tributaries, the Ohio River and tributaries, the Missouri River and tributaries, and the Illinois River and tributaries; and the reports thereon, in addition to the surveys provided by said House Document 308, Sixty-ninth Congress, first session, shall include the effect on the subject of further flood control of the lower Mississippi River to be attained through the control of the flood waters in the drainage basins of the tributaries by the establishment of a reservoir system; the benefits that will accrue to navigation and agriculture from the prevention of erosion and siltage entering the stream; a determination of the capacity of the soils of the district to receive and hold waters from such reservoirs; the prospective income from the disposal of reservoir waters; the extent to which reservoir waters may be made available for public and private uses; and inquiry as to the return flow of waters placed in the soils from reservoirs, and as to their stabilizing effect on stream flow as a means of preventing erosion, siltage, and improving navigation: *Provided,* That before transmitting such reports to Congress the same shall be presented to the board

created in section 1 of this act, and its conclusions and recommendations thereon shall be transmitted to Congress by the Secretary of War with his report.

The sum of \$5,000,000 is hereby authorized to be used out of the appropriation herein authorized in section 1 of this act, in addition to amounts authorized in the river and harbor act of January 21, 1927, to be expended under the direction of the Secretary of War and the supervision of the Chief of Engineers for the preparation of the flood-control projects authorized in this section: *Provided further*, That the flood surveys herein provided for shall be made simultaneously with the flood-control work on the Mississippi River provided for in this act: *And provided further*, That the President shall proceed to ascertain through the Secretary of Agriculture the extent to and manner in which the floods in the Mississippi Valley may be controlled by proper forestry practice.

SEC. 11. That the Secretary of War shall cause the Mississippi River Commission to make an examination and survey of the Mississippi River below Cape Girardeau, Mo., (a) at places where levees have heretofore been constructed on one side of the river and the lands on the opposite side have been thereby subjected to greater overflow, and where, without unreasonably restricting the flood channel, levees can be constructed to reduce the extent of this overflow, and where the construction of such levees is economically justified, and report thereon to the Congress as soon as practicable with such recommendations as the commission may deem advisable; (b) with a view to determining the estimated effects, if any, upon lands lying between the river and adjacent hills by reason of overflow of such lands caused by the construction of levees at other points along the Mississippi River, and determining the equities of the owners of such lands and the value of the same, and the commission shall report thereon to the Congress as soon as practicable with such recommendation as it may deem advisable: *Provided*, That inasmuch as the Mississippi River Commission made a report on the 26th day of October, 1912, recommending a levee to be built from Tiptonville, Tenn., to the Obion River in Tennessee, the said Mississippi River Commission is authorized to make a resurvey of said proposed levee and a relocation of the same if necessary, and if such levee is found feasible, and is approved by the board created in section 1 of this act, and by the President, the same shall be built out of appropriations hereafter to be made.

SEC. 12. All laws or parts of laws inconsistent with the above are hereby repealed.

SEC. 13. That the project for the control of floods in the Sacramento River, Calif., adopted by section 2 of the act approved March 1, 1917, entitled "An act to provide for the control of the floods of the Mississippi River and of the Sacramento River, Calif., and for other purposes," is hereby modified in accordance with the report of the California Débris Commission submitted in Senate Document No. 23, Sixty-ninth Congress, first session: *Provided*, That the total amounts contributed by the Federal Government, including the amounts heretofore contributed by it, shall in no event exceed in the aggregate \$17,000,000.

SEC. 14. In every contract or agreement to be made or entered into for the acquisition of land either by private sale or condemnation as in this act provided, the provisions contained in section 3741 of the Revised Statutes, being section 22 of title 41 of the United States Code, shall be applicable.

MESSAGE FROM THE PRESIDENT—OAKLAND HARBOR, CALIF.

The SPEAKER laid before the House the following message from the President of the United States, which was read:

To the House of Representatives:

In compliance with the resolution of the House of Representatives of April 20, 1928 (the Senate concurring), I return herewith H. J. Res. 244, entitled "Joint resolution authorizing a modification of the adopted project for Oakland Harbor, Calif."

CALVIN COOLIDGE.

THE WHITE HOUSE, April 24, 1928.

HOUSE CONCURRENT RESOLUTION

Mr. CARTER. Mr. Speaker, I ask unanimous consent for the present consideration of the concurrent resolution which I send to the desk and ask to have read.

The SPEAKER. The gentleman from California asks unanimous consent for the present consideration of the resolution, which the Clerk will report.

The Clerk read as follows:

House Concurrent Resolution 32

Resolved by the House of Representatives (the Senate concurring), That the action of the Speaker of the House of Representatives and of the Vice President in signing the joint resolution (H. J. Res. 244) entitled "A joint resolution authorizing the modification of the adopted project for Oakland Harbor, Calif.," be rescinded, and that in the re-enrollment of said joint resolution the word "June" be stricken out and the word "January" be inserted in lieu thereof.

The SPEAKER. Is there objection?

Mr. CHINDBLOM. Reserving the right to object, Mr. Speaker, does the gentleman actually want the former action rescinded? The resolution is back here.

Mr. CARTER. Yes. It has to be signed over again, and you have to rescind their action in signing.

The SPEAKER. Is there objection?

Mr. CHINDBLOM. Mr. Speaker, I withdraw my reservation.

The SPEAKER. The question is on agreeing to the concurrent resolution.

The concurrent resolution was agreed to.

ORDER OF BUSINESS

Mr. BANKHEAD. May I ask the gentleman from Connecticut [Mr. TILSON] if it is the understanding that Calendar Wednesday will function to-morrow and the Committee on the Merchant Marine and Fisheries will have the call?

Mr. TILSON. There has heretofore been some unwillingness to dispense with business in order on Calendar Wednesday. At this point in the session I think that I should not ask that Calendar Wednesday be dispensed with to-morrow unless the committee most directly concerned requests it. This has not been done in this case.

Mr. BANKHEAD. Then that means that there will be Calendar Wednesday to-morrow?

Mr. TILSON. So far as I know, that is the program.

Mr. HASTINGS. May I ask if the McNary-Haugen bill will be taken up to-morrow?

Mr. TILSON. I might ask unanimous consent to consider to-morrow a rule for the consideration of the McNary-Haugen bill, so that we could begin on Thursday morning with the bill itself.

Mr. BANKHEAD. Why not ask for that now?

Mr. RAMSEYER. I think that nothing can be gained by mapping out a program here to-day like that.

Mr. TILSON. If there is objection, Mr. Speaker, of course, I shall withdraw the request.

Mr. GARNER of Texas. I understand the policy of Congress is that in case there is no objection to dispensing with Calendar Wednesday it will be dispensed with.

Mr. TILSON. There have been occasions when committees concerned have asked for it to be dispensed with by a two-thirds vote.

Mr. GARNER of Texas. I do not know of any more important bill to consider in the House than the McNary-Haugen bill.

Mr. TILSON. To-morrow, if two-thirds should insist that we do so, it would be done. I would not ask now without the request of the committee next on the calendar.

Mr. GARRETT of Tennessee. With respect to the McNary-Haugen bill, I understand it is desired by the committee to have some change made in the rule. I do not know just what it is, but I understood that a meeting of the Committee on Rules would be called for to-morrow morning.

Mr. TILSON. To change the rule?

Mr. GARRETT of Tennessee. Yes.

Mr. TILSON. I have heard nothing of what the gentleman states.

Mr. WHITE of Maine. Mr. Speaker, the Committee on the Merchant Marine and Fisheries has three bills ready to present to-morrow. If it is the desire of the House to act on a rule making the farm relief bill in order, I would be willing to give way. We have three bills, and I think we could dispose of them within a reasonably short time.

Mr. MADDEN. What three bills?

Mr. WHITE of Maine. One establishing a steamboat-inspection office in the State of Washington.

Mr. MADDEN. Why an extra steamboat-inspection office?

Mr. WHITE of Maine. I think that will appear when the bill is taken up and discussion had of it. The Committee on the Merchant Marine and Fisheries was satisfied not only of the propriety but of the necessity for it, and has so reported to the House.

Now, there is another bill that ought not to take a long time unless many Members desire to talk upon it. That is a bill extending the thanks of Congress to the officers and crews of various ships that have saved life at sea under very extraordinary conditions and circumstances of heroism.

The third bill authorizes and directs the Bureau of Fisheries to study ways and means of protecting fish from irrigation and reclamation projects in the West. It appears that at the present time millions upon millions of edible fish are drawn from the lakes and headwaters of streams down into these irrigation ditches and when the water is let out these fish are entirely lost. We regard it as a conservation measure of real importance.

Mr. CRAMTON. Mr. Speaker, will the gentleman yield?

Mr. WHITE of Maine. Yes. I think these bills might be passed with reasonable discussion, or they might take considerable time.

Mr. CRAMTON. Have the authorities of the Reclamation Service had a chance to be heard on the last bill? Have the Interior Department authorities had any chance to be heard on it?

Mr. JOHNSON of Washington. I believe not; but hearings have been had, and the bill has been reported by agreement with the Budget.

Mr. CRAMTON. Can the gentleman give the number of that bill?

Mr. WHITE of Maine. At the moment I can not give the number of the bill. The reclamation officers were not before the committee.

Mr. LAGUARDIA. It is not the bill which creates new fisheries in various States?

Mr. WHITE of Maine. Oh, no; it simply asks the Bureau of Fisheries to study ways and means for preventing this great destruction of fish.

Mr. CRAMTON. Then it is only a preliminary study?

Mr. WHITE of Maine. That is what it is.

Mr. CRAMTON. Of course, if it is only a preliminary study, I am not likely to object.

Mr. WHITE of Maine. It would be perfectly agreeable to our committee to have the rule on the farm bill taken up when we have completed these three bills, and if it is the desire of the House to do that to-morrow we will expedite, just as rapidly as we can, the consideration of these bills.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted—

To Mr. DOUGLAS of Arizona, at the request of Mr. LANHAM, for two days, on account of illness.

To Mr. TAYLOR of Tennessee, for one week, to attend State convention in Tennessee.

BUILDING FOR PERMANENCY AND ULTIMATE SUCCESS IN POLITICS

Mr. HAMMER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a speech delivered by me on November 11, 1927, to the Democratic Club of High Point, N. C.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. HAMMER. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following speech delivered by me November 11, 1927, to the Democratic Club, of High Point, N. C.:

It is said that years ago an obnoxious bill was brought up before a legislature in Illinois with orders from the party in control that it must be passed. The franchises carried in the bill would make piles of money for certain great and powerful interests that had been liberal in their campaign contributions to the political party which had triumphed in the preceding election.

The story goes that in the assembly there was a fine, clean young lawyer who was deeply concerned about the stand he should take in the matter. He said to a friend: "I am up against it. I know this bill is bad. You know it. Everybody knows it. I can not maintain my self-respect and vote the way they demand. If I do not vote for it, they say I'm through. Some of the men in charge of the bill are my friends. They have stood by me, and I ought to stand by them. What shall I do?" His friend said, "Why don't you talk to Roger Sullivan and get his advice?" The young man went to Sullivan and was advised to vote as his conscience should dictate. The arguments which that young man presented were the strongest ones made against the bill. It was defeated, and many prophesied his political death. Instead of being killed off, however, he went on up higher and is now a distinguished judge of the highest court in one of our large Western States.

Everywhere wise party leaders who build for permanency are on the lookout for candidates of integrity and uprightness who are able to command the respect of the public. They do not want weak men, mentally or morally unfit, for that type is known to develop such enormous appetites that they eventually eat up the party. Leaders are seeking power more than money. They are anxious to have a good government in order to maintain their power. They know that they can not lead long unless they seek out the best men for public office.

When a government is not good it is not always the fault of the party organizations. Much of the responsibility rests with the eminently respectable people who are so good that they fear contamination from engaging in an effort to nominate and elect the best men. That class of people think themselves too good to attend ward meetings or to run for office or do anything in the open. Sometimes they contribute money for campaign purposes and then refuse to attend the primaries or vote

in the elections. It takes both money and time to run an organization. It is the duty of every citizen to take a hand in his own Government.

Politics and politicians are no worse and no better than business and the average business man. It is true that we find now and then, and here and there, some graft and dishonesty in politics. That also happens in business. We hear much about corruption in politics and little about the wrong conduct of business because our politicians are in the limelight and when anything goes wrong there is a great noise and many investigations. That makes some people say that all political life is dirty and that decent people should stay out of politics. As a matter of fact, politicians lead exceptionally clean lives; first, because they want to; and, secondly, because they have to, for the searchlights of the public are continually turned upon their every movement.

Those people who are too good to take any hand in seeing how they are governed seldom let their leaders hear from them, or have the benefit of their advice, unless they want something for themselves or want to back a reform against a leader. About two-thirds of such reform movements are saintly efforts of the "outs" to get in. The other third would not be necessary if the reformers would do their duty as citizens in the first place and take a proper interest in their party organizations. Every now and then some fellow comes along and talks about cleaning up and making things decent. He cries out long and loud against what he is pleased to call "peanut" politics.

A man who cries out against the existing order should take an inventory of his own physiognomy and see if he is any better than the politicians he derides and condemns. If he should decide that he is a finer breed, he should look for a few others of like thought and establish a new government of his own creation.

An able politician tries to play fair in his appointments for the good of his constituents and for the preservation of his own political future. Of course he will choose his friends rather than his enemies. He can not hope to accomplish the best and most desirable results unless his policies are executed by those who are friendly to him and to his cause. Politics is but human nature—sordid as human nature is sordid and good as human nature is good. It has bad in it and it has good in it. If we would have the good, we must choose wisely our leaders.

POLITICAL LEADERS HUMAN

Plainly our political leaders are as human as are the balance of us. Suppose, however, that we had no good leaders and no real guidance of our party organization, what sort of candidates would be selected? The loud speakers, the makers of the biggest noise and the most extravagant promises, would float to the top. All people everywhere need wise, intelligent leadership, for without leadership there must come decay and death. Responsibility rests to a great extent in the selection and guidance of proper leadership. Those elected to office should, on the other hand, think first, of course, of the public interest and, second, of the party and its leadership. This is a good, sound Democratic doctrine that has been preached and expounded from Jefferson to Wilson.

Sometimes people become indifferent and need shaking up. Such was the case when Roosevelt disciplined his party.

With many the most popular indoor sport is criticizing public men and their acts. As a rule such critics know so little of public affairs that they just act on a general clean-up principle and take a stand against whoever happens to be doing something.

Of course, criticism by the opposition is proper and permissible. Their dissatisfaction prevents stagnation and often is most healthy and useful in preventing misconduct by public officials, but the first principle of intelligent, constructive criticism is that the critic should have a general knowledge of the conditions against which his remarks are directed. "I am a dissatisfied Democrat," Claude Kitchen used to say. So am I. Contentment is stagnation and death.

If we are discontented with what we have and want better schools, better roads, better streets, or better public officials, we should realize that all of these things cost money and that taxes must necessarily be increased if we are to obtain and enjoy these benefits. We should not seek to turn out a set of local public officials for getting what we ask for at an increased cost unless waste or extravagance is found in the getting of these benefits. Some one has truthfully said that most officials are damned if they do and damned if they don't, and have to spend so much time figuring the strength of the pros and cons of the dams that the wonder is that they can find time for proper service to the public.

We try to persuade ourselves that this is a government by law, while in truth it is a government of human beings by human beings who, through wise leadership, are seeking to conserve the rights and advance the interests of the majority.

We talk about statesmen elsewhere being superior to the home product, while in truth and in fact we have as a rule better statesmen than the other nations. After the Spanish-American War we freed Cuba and paid \$20,000,000 for the Philippines. After the World War Wilson doggedly refused to take any of the spoils offered us—for instance, Armenia and a few odds and ends of protectorates. The European statesmen were so impressed with our generosity that they thought up a plan to secure the inclusion of their war debts among our gifts. Our Foreign

Service has a habit, or has had until quite recently, of telling the truth and keeping its promises.

As a matter of fact politics is on a higher plane in America than in any other country on earth, and that is the case also with our business affairs. We have some plain, everyday cheating, but our generally high standard of business is recognized throughout the civilized world. The purchase of votes has never been respectable anywhere, and it is coming to be considered more and more disreputable, except in Pennsylvania and Illinois.

People who complain about politics should, if they mean what they say, get into politics and stay there and clean up. They should keep inside and help make politics better rather than stay on the outside making ugly faces and calling names.

THE DIRECT PRIMARY

The establishment of the direct primary was a protest against government that did not represent the will of all of the people. The popular demand for direct nominations has been adopted by most of the States. Forty-five have accepted the direct primary, and no State so adopting has ever been known to abandon the plan entirely.

Under the old convention system the people became disgusted with boss and ring rule. The wrongful, selfish power of the bosses has been greatly reduced by the direct-primary plan. More voters now attend the primaries. A primary can not be bought or stampeded, and dark horses can not be put forward to blind the people or split the vote.

The primary has to a great extent purified and elevated politics and in a measure restored government to the people in those offices included in its provisions. The old-time political machine has very generally been crushed, and where it does still exist the corruption and iniquities are being exposed.

It is not the direct primary but newspaper abuse and vilification and misrepresentation that in most instances keep the best type of candidate out of office. The amount of money expended in all the States except Pennsylvania and Illinois in 1926 was small. In these two States adequate laws had not been adopted limiting expenditures.

Where abuses have been found to exist under direct primaries they have been quickly exposed and punished—a thing impossible under the caucus and convention system. The convention system is best adapted to the control of an "invisible government" of the industrial-political magnates. Where States or counties are controlled by one party the reason for the direct primary is of the greatest importance. About half the States are one-party States. The direct primary is of great value and convenience to women, because few women care to attend precinct meetings and political conventions. To condemn the direct primary because all voters do not participate is like condemning universal suffrage because all who are eligible do not vote.

The direct primary is not a cure-all and it does not bring the millennium, but it does relieve many of the evils of former days, and it is a real school of political education for the so-called "common people." Active work by the rank and file is encouraged. The direct primary makes it easier for the ordinary voter to exert his influence in nominating the best choice of the people. It also enables each voter to be instrumental in defeating a conspicuously unfit person who makes a howl about indecency and corrupt politics and does not take a stand for definite policies and a constructive platform. This is the type that plays to the galleries and splits and straddles to suit the crowd to which he looks for support. This is also the type that deals in platitudes and generalities. They are for proper tariff and farm relief legislation, but do not say what kind of farm relief or tariff.

WHAT THE FUTURE OF THE COUNTRY DEPENDS UPON

The future of this country does not depend so much upon the young men who are trained in military camps to fight on short notice as upon the young men who are trained in their political party camps to take an active interest in politics from the standpoint of public needs and to be as fearless and brave in politics as they would be on the battle fields. Future wars could be averted and avoided if our men could be trained to prevent the causes and beginnings of war.

Main Street would have more influence at the Nation's Capitol than Wall Street if Main Street were only organized. The common people are like a horse in that they do not know and do not exert their strength. If they did, they would all pull together for the common good and not be guided by weak reins in the hands of selfish and unscrupulous leaders.

Let Main Street take the active hand it should in every political campaign in an effort to nominate to office the best men in each party, and then Main Street and not Wall Street will direct the policies of our Government and perpetuate the principles that were fostered and promulgated by its founders.

We should teach more practical politics and not merely the fundamental principles of government without any teaching of the practical procedures of government. We should quit teaching and preaching that all party government is bad, because it is not. We should make our nominations with a view to obtaining the best results in the direct or legalized primary.

We all agree that this is a great country, a country beyond all others in its opportunities and advantages. It is said that a country or organization is but a lengthened shadow of the individuals who compose it. That being true, let us realize and admit that this country of ours should be run by right-thinking human beings. Let us get into the running of it ourselves and see that the lengthened shadow is cast by men who stand squarely for the greatest good to the greatest number. Let all good men interest themselves not alone in studying the theory of government but also in finding out how to put their theories into practice. The philosophy of to-day is a doing philosophy, a philosophy of activity. Let us make a practical application of the principles for which we stand. We can do this by interesting ourselves in the party organization and participating actively in its primaries.

The next primary in this State will be held on Saturday, June 2, 1928. In order to perpetuate Democratic control we should attend the primaries and induce others to do so, for thus only by concerted effort can we hope to nominate and retain our most highly qualified candidates in public office.

WHAT WE SHOULD DO IN THE NEXT CAMPAIGN

Democrats should get behind a definite, constructive, progressive program. We never had a better opportunity than we have now to win a clean-cut victory; that is, if we will only act with wisdom and all pull together.

We should go into the next campaign upon a platform about which all Democrats and all other people of progressive ideas can rally. We should not listen to the beneficiaries of the Republican Party who creep into our party councils. They are trouble breeders, seeking always to inject issues that will divide the Democrats. I do not want Republicans and so-called "independents" to name our candidates and write our platform. I do not want to see them doing the things that we can and should do for ourselves.

We have a sacred duty to perform. Never did the great mass of common people in America need our party as it does to-day. With business failures more numerous than ever before, with agriculture paralyzed, bank failures increasing in an alarming degree, millions out of work, and the Government completely controlled and dominated by the ultra rich, it would be a national calamity for Democrats to divide over minor issues or fail to unite on major questions.

THE RECORD OF THE HARDING-COOLEDGE ADMINISTRATION

The record of the Harding-Coolidge administration is the issue upon which our next campaign should be waged—upon it we can not fail. Let our slogan be, "Thou shalt not steal."

The revelations of corruption in Indiana official circles are rivaled only by the saturnalia of corruption and scandalous misuse of power which began with the advent of the Republican Party following the splendid record of the Wilson administration. When Harding was elected the protective interests swarmed in the corridors of the Capitol, and they are still swarming there. Official corruption is the greatest danger that the American Nation is facing to-day. Witness the scandalous disclosures of the Walsh and Reed committees. One of the chief maneuvers of the Coolidge administration is to set up a shout of "Bolshevism" when an embarrassing situation arises. The commandment "Thou shalt not steal" was given to us by Moses and not by a bolshevist. Unfortunately it is a law that has been forgotten by the party which is in power at the present time.

WHAT THE REAL ISSUE SHOULD BE

Yes; the real issue in the next campaign should be the overthrow of the old Republican guard, through which the invisible government is exercising the powers of the people for its own private gain. Their method is to tax the masses for the profit of a favored few. Their prohibitive protective-tariff schedules which shelter private monopoly bring about an increased cost of the prime necessities of life. The poor man has to suffer to fill the coffers of the rich.

The low estate into which the personnel of the Federal Trade Commission has fallen, dominated and conducted as it is against the interest of those it was originally intended to protect, is to be regretted. It has to a large extent lost its usefulness. We must force the Interstate Commerce Commission to be more considerate of the people's interest in fixing passenger and freight rates. We must make the Federal reserve banking system serve the people and function as it did originally and as it was intended to do by Wilson and by Owen and Glass and the rest of the Democratic Congress who gave us the Federal reserve act. Instead of serving the people, it is being used to bankrupt the people for the benefit of those against whom it was originally directed. It was intended to prevent the invisible empires of greed from feasting and fattening upon ill-gotten gains.

We should give adequate relief to agriculture, flood control, and tax reduction, and we should make it possible for the great masses to have a breathing spell of equal opportunity with the favored interests. The farm bill is requested by agriculture as an experiment, at least, although it may not be entirely a certainty that it is workable. The great industrial enterprises and manufacturers in the East are highly favored; and why should not the farmers receive the same favors, for we can not now pull down the Chinese Wall of protection?

Another one of our jobs should be to make visible the invisible and lay bare their nefarious designs and iniquitous accomplishments. It is the Jeffersonian principles that we must follow and not the practices of Harding and Coolidge.

"If everybody tried to have his own way in all things, nobody would have his way in anything," is a statement that could never be more truly made than at the present time. We will lose the great issues by disputing over small matters, and then end by losing all. Against us will be all who have grown rich, and are growing richer through favoritism, and all special privilege hunters, the great forces which buy elections in States like Illinois and Pennsylvania.

While the Democrats do not desire and can not afford to make war on honest capital, it must be remembered and kept steadily in view that this Government was established for men and not for dollars. Corruption and favoritism walked in and took control on March 4, 1921, and have been in the saddle from that day until this. The scaly hand with long, bony fingers reached into the Navy, the Interior, and the Justice Departments and corrupted high officials.

The first act of Coolidge was to indorse Harding's administration. Harding appointed and Coolidge continued H. M. Daugherty as Attorney General until overpowering public sentiment drove him from office. President Coolidge never lifted a hand, ignoring the demand of the Senate that he compel the resignation of Attorney General Daugherty and Secretary of the Navy Denby. President Coolidge publicly defended and justified those men. He even certified to the integrity of his disreputable Cabinet member, Daugherty, but he finally had to back down under the glare of public indignation.

The Credit Mobilier and star-route scandal of the Grant administration are to me no comparison with the iniquities of the Teapot Dome and Elk Hill oil scandals, with Fall, Sinclair, Doheny, and Will Hays up to their necks, with their hands in graft and corruption.

Mellon and money have been the star of hope of this administration. Nine million dollars were saved to Mellon in individual taxes under his first proposed bill for reduction of revenue after he had disposed of his Overholt distillery holdings for \$15,000,000. Mr. Mellon, it is stated on good authority, raised \$2,000,000 to be used in the Pennsylvania Republican primary campaign two years ago. He said the expenditures for corrupting the electors in Pennsylvania were as justified as subscriptions or contributions to churches.

This administration settled with England at 3 per cent for the first three years and 3½ per cent thereafter. The difference in the rate of interest paid for money loaned to Great Britain by the United States and that which Great Britain has paid in return is \$25,747,000. The difference in the amount of interest compounded throughout the 66 years in which Great Britain has to pay is \$22,000,000,000. The Italian debt was settled at 21 cents on the dollar, thus escaping payment of \$1,612,000,000. Mellon and others offered to settle for less than 50 cents on the dollar. This would mean a saving to France of an enormous and almost inconceivable amount, not considering compound interest. The annual interest and charge which must be paid by our taxpayers for the money on that part of the debt thus transferred from European countries to America is \$105,617,000.

Morgan and his henchmen acquired many million dollars' worth of European securities at a large discount and then demanded cancellation of the debts due us by European countries for the loan of money which was borrowed in America at the usual rate of 6 per cent. Shall we stand idly by and permit our taxpayers to be robbed in this manner while the forces of darkness and iniquity grow fat upon the spoils?

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. Craven, its principal clerk, announced that the Senate insists upon its amendments to the bill (H. R. 11577) entitled "An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1929, and for other purposes," disagreed to by the House of Representatives, agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. McNARY, Mr. JONES, Mr. KEYES, Mr. OVERMAN, and Mr. HARRIS to be the conferees on the part of the Senate.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 1181. An act authorizing an appropriation to be expended under the provisions of section 7 of the act of March 1, 1911, entitled "An act to enable any State to cooperate with any other State or States, or with the United States, for the protection of the watersheds of navigable streams, and to appoint a commission for the acquisition of lands for the purpose of conserving the navigability of navigable rivers," as amended.

BILL PRESENTED TO THE PRESIDENT

Mr. CAMPBELL, from the Committee on Enrolled Bills, reported that this day they presented to the President of the United States, for his approval, a bill of the House of the following title:

H. R. 11020. An act validating certain applications for and entries of public lands.

ADJOURNMENT

Mr. TILSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 50 minutes p. m.) the House adjourned until to-morrow, Wednesday, April 25, 1928, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Wednesday, April 25, 1928, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

(10.30 a. m.)

Authorizing the Secretary of the Treasury to accept a franchise from the government of the city of New York to change the routing of the pneumatic-tube service between the custom-house and the present appraisers' stores building (H. R. 13171).

COMMITTEE ON MINES AND MINING

(10 a. m.)

Authorizing an appropriation for the encouragement and benefit of the International Petroleum Exposition Corporation, of Tulsa, Okla. (H. R. 13150).

Authorizing an appropriation for development of potash jointly by the United States Geological Survey of the Department of the Interior and the Bureau of Mines of the Department of Commerce by improved methods of recovering potash from deposits in the United States (H. R. 496).

COMMITTEE ON THE JUDICIARY—SUBCOMMITTEE NO. 1

(10 a. m.)

To provide for the procedure in the trial of certain criminal cases by the district courts of the United States (H. R. 10639).

COMMITTEE ON MILITARY AFFAIRS

(10.30 a. m.)

A meeting to consider bill before the committee concerning promotion and retirement.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

(10 a. m.)

To amend the act entitled "An act to create the Inland Waterways Corporation for the purpose of carrying out the mandate and purpose of Congress, as expressed in sections 201 and 500 of the transportation act," approved June 3, 1924 (H. R. 10710).

COMMITTEE ON BANKING AND CURRENCY

(10.30 a. m.)

To provide legal-tender money without interest secured by community noninterest-bearing 25-year bonds for public improvements, market roads, employment of unemployed, building homes for, and financing through community banks organized under State laws, its citizens, farmers, merchants, manufacturers, partnerships, corporations, trusts, or trustees, and for community needs of the United States (H. R. 12288).

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. WHITE of Maine: Committee on the Merchant Marine and Fisheries. S. 1609. An act recognizing the heroic conduct, devotion to duty, and skill on the part of the officers and crews of the U. S. S. *Republic*, *American Trader*, *President Roosevelt*, *President Harding*, and the British steamship *Cameronia*, and for other purposes; with amendment (Rept. No. 1371). Referred to the Committee of the Whole House on the state of the Union.

Mr. WHITE of Maine: Committee on the Merchant Marine and Fisheries. H. R. 457. A bill to create a board of local inspectors, Steamboat Inspection Service, at Hoquiam, Wash.; without amendment (Rept. No. 1372). Referred to the Committee of the Whole House on the state of the Union.

Mr. STALKER: Committee on the District of Columbia. H. R. 10073. A bill to change the name of Railroad Avenue between Nichols Avenue and Massachusetts Avenue; with amendment (Rept. No. 1373). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. McLEOD: Committee on the District of Columbia. S. 2511. An act to change the name of St. Vincent's Orphan Asy-

lum and amend the act entitled "An act to amend an act entitled 'An act to incorporate St. Vincent's Orphan Asylum, in the District of Columbia,' approved February 25, 1831"; without amendment (Rept. No. 1374). Referred to the Committee on the Whole House.

CHANGE OF REFERENCE

Under clause 2 of Rule XXII, the Committee on Claims was discharged from the consideration of the bill (H. R. 973) for the relief of estate of Katherine Heinric (Charles Grieser and others, executors), and the same was referred to the Committee on Ways and Means.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. LANKFORD: A bill (H. R. 13291) to establish a Federal farm board to aid in the orderly marketing and in the control and disposition of the surplus of agricultural commodities in interstate and foreign commerce; to the Committee on Agriculture.

By Mr. SPEARING: A bill (H. R. 13292) to extend the time for completing the construction of a bridge across the Mississippi River near and above the city of New Orleans, La.; to the Committee on Interstate and Foreign Commerce.

By Mr. BROWNE: A bill (H. R. 13293) to amend sections 21 and 24 of the act of October 15, 1914 (secs. 386 and 389 of title 28 of the Code of Laws of the United States of America), relating to trial by jury in cases of indirect criminal contempts; to the Committee on the Judiciary.

By Mr. EVANS of Montana (by request): A bill (H. R. 13294) to provide for the payment to members of the Flathead Indian Tribe who have received patents in fee of their several shares of the equity of the tribal property; to the Committee on Indian Affairs.

Mr. HOWARD of Oklahoma: A bill (H. R. 13295) to provide for improvement of the Pawnee Indian School, Pawnee, Okla.; to the Committee on Indian Affairs.

By Mr. MORIN: A bill (H. R. 13296) to authorize the adjustment and settlement of claims for armory-drill pay; to the Committee on Military Affairs.

By Mr. LINTHICUM: A bill (H. R. 13297) to establish an experimental station and bass and trout hatchery in the State of Maryland; to the Committee on the Merchant Marine and Fisheries.

By Mr. NIEDRINGHAUS: A bill (H. R. 13298) authorizing J. H. Haley, his successor and assigns—or his heirs, legal representatives, and assigns—to construct, maintain, and operate a bridge across the Missouri River at or near a point where Olive Street Road, St. Louis County, Mo., if extended west would intersect the Missouri River; to the Committee on Interstate and Foreign Commerce.

By Mr. McKEOWN: Joint resolution (H. J. Res. 285) for the relief of the Iowa Tribe of Indians; to the Committee on Indian Affairs.

By Mr. RAMSEYER: Resolution (H. Res. 176) for the consideration of S. 3555, an act to establish a Federal farm board to aid in the control and disposition of the surplus of agricultural commodities in interstate and foreign commerce; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BERGER: A bill (H. R. 13299) for the relief of Eustace Reynolds; to the Committee on Claims.

By Mr. BUTLER: A bill (H. R. 13300) for the relief of Capt. J. O. Faria; to the Committee on Claims.

By Mr. BULWINKLE: A bill (H. R. 13301) for the relief of R. A. Mayer; to the Committee on Claims.

By Mr. CARTER: A bill (H. R. 13302) granting a pension to the survivors of the Jeanette relief expedition; to the Committee on Pensions.

By Mr. CRAIL: A bill (H. R. 13303) for the relief of Clyde Smith; to the Committee on Military Affairs.

By Mr. DICKINSON of Missouri: A bill (H. R. 13304) granting an increase of pension to Belle F. Shideeler; to the Committee on Invalid Pensions.

By Mr. DOUGLASS of Massachusetts: A bill (H. R. 13305) for the relief of Charles Ghisoni; to the Committee on Claims.

By Mr. EDWARDS: A bill (H. R. 13306) to authorize the appointment of Technical Sergt. Tom Bowen as a warrant officer, United States Army; to the Committee on Military Affairs.

By Mr. GOLDER: A bill (H. R. 13307) granting a pension to Mary A. Fitzpatrick; to the Committee on Invalid Pensions.

By Mr. LOZIER: A bill (H. R. 13308) granting an increase of pension to Rachel McKinney; to the Committee on Invalid Pensions.

By Mr. RUTHERFORD: A bill (H. R. 13309) granting a pension to William D. Pearson; to the Committee on Pensions.

By Mr. SANDERS of New York: A bill (H. R. 13310) for the relief of the Palmer Fish Co.; to the Committee on Claims.

By Mr. SPROUL of Kansas: A bill (H. R. 13311) granting an increase of pension to Mary A. Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13312) granting a pension to Catherine Bloom; to the Committee on Pensions.

Also, a bill (H. R. 13313) for the relief of Mrs. W. H. DeLong-Wheeler; to the Committee on Claims.

By Mr. TAYLOR of Tennessee: A bill (H. R. 13314) granting a pension to Drusey Owens; to the Committee on Invalid Pensions.

By Mr. VINSON of Kentucky: A bill (H. R. 13315) granting a pension to Charlie Sparks; to the Committee on Pensions.

By Mr. WHITE of Maine: A bill (H. R. 13316) granting an increase of pension to Hollis J. Ellingwood; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

7169. Petition of board of directors of the American Society of Civil Engineers, Washington, D. C., commending the President with reference to progress for control of the Mississippi River floods; to the Committee on Flood Control.

7170. Petition of Montana Stockgrowers' Association, Montana, relative to American beef for American Army and Navy, and extending consideration to inland abattoirs; to the Committee on Military Affairs.

7171. By Mr. BOYLAN: Petition of New York branch of National Custom Service Association of Employees, favoring House bill 13143, to adjust the salaries of custom employees; to the Committee on the Civil Service.

7172. By Mr. ESTEP: Resolution by the Chamber of Commerce, of Pittsburgh, Pa., urging defeat of Senate bill 2407 and House bill 470; to the Committee on Foreign Affairs.

7173. By Mr. HOPE: Petition signed by residents of Liberal, Kans., protesting against the passage of House bill 78 and other Sunday legislation; to the Committee on the District of Columbia.

7174. By Mr. HUDSON: Petition of citizens of Flint, Mich., urging consideration of national flood control and the adoption of such laws as will insure the impounding of unrestricted waters and thus effectively eliminate the annual danger so destructive to life, health, and property, and at the same time safeguarding the rights and interests of our citizens; to the Committee on Flood Control.

7175. By Mr. JOHNSON of Texas: Petition of George O. McMillan, president Westminster College, Tehuacana, Tex., opposing Senate bill 1752, to prevent printing of return address on stamped envelopes by the Post Office Department; to the Committee on the Post Office and Post Roads.

7176. By Mr. KADING: Petition signed by Civil War veterans, widows, and dependents residing in in Sheboygan, Wis., and vicinity, urging that immediate steps be taken to bring to a vote a Civil War pension bill for veterans and widows of veterans; to the Committee on Invalid Pensions.

7177. By Mr. LINDSAY: Petition of Anchor Club, New York Post Office, praying that the Lehlbach retirement bill with its amendments be brought out of committee and enacted into law at this session of Congress; to the Committee on the Civil Service.

7178. Also, petition of Paper Cutters, Binding Machine Operators, and Embossers' Protective Union, No. 119, New York City, urging favorable action on the Griest postal bill; to the Committee on the Post Office and Post Roads.

7179. Also, petition of Mailers' Union, No. 6, New York City, urging favorable action on the Griest postal bill; to the Committee on the Post Office and Post Roads.

7180. Also, petition of Bindery Women's Union, New York City, urging support of the Griest postal bill; to the Committee on the Post Office and Post Roads.

7181. Also, petition of Allied Printing Trades Council of Greater New York, composed of 21 affiliated organizations, urging support of the Griest postal bill; to the Committee on the Post Office and Post Roads.

7182. Also, petition of National Customs Service Association, signed by 41 citizens of Brooklyn, N. Y., urging speedy passage of House bill 13143, providing for an adjustment of salaries paid to customs employees; to the Committee on Ways and Means.

7183. By Mr. McSWEENEY: Papers in support of House bill 13261, granting a pension to Jennie Messer; to the Committee on Invalid Pensions.

7184. By Mr. MORROW: Petition of citizens of Fort Bayard, N. Mex., indorsing House bill 5477, to extend presumptive limit for tubercular veterans to September 1, 1928; to the Committee on World War Veterans' Legislation.

7185. By Mr. O'CONNELL: Petition of the Anchor Club, New York Post Office, appealing for the consideration of the Lehlbach retirement bill (H. R. 25); to the Committee on the Civil Service.

7186. By Mr. QUAYLE: Petition of United States Customs Inspector's Association of the Port of New York, favoring the passage of the Lehlbach retirement bill (H. R. 25); to the Committee on the Civil Service.

7187. Also, petition of Anchor Club, New York Post Office, favoring the passage of the Lehlbach retirement bill (H. R. 25); to the Committee on the Civil Service.

7188. By Mr. McREYNOLDS: Petition of 118 adult citizens of Ooltewah, Hamilton County, Tenn., protesting against the passage of the Lankford Sunday observance bill (H. R. 78); to the Committee on the District of Columbia.

7189. By Mr. SEARS of Nebraska: Petition of civic and commercial organizations and municipalities of Nebraska, indorsing source, tributaries, flood control, and retention of flood waters in areas in which they originate; to the Committee on Flood Control.

7190. By Mr. STALKER: Petition of sundry citizens of Bath, N. Y., urging the enactment of legislation for an increase in pension for Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

7191. Also, petition of sundry citizens of Watkins Glen, N. Y., urging the enactment of legislation for an increase in pension for Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

SENATE

WEDNESDAY, April 25, 1928

(Legislative day of Friday, April 20, 1928)

The Senate reassembled at 12 o'clock meridian, on the expiration of the recess.

The VICE PRESIDENT. The Senate will receive a message from the House of Representatives.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks, announced that the House had adopted a concurrent resolution (H. Con. Res. 32) providing that the action of the Speaker of the House and the Vice President in signing the joint resolution (H. J. Res. 244) authorizing the modification of the adopted project for Oakland Harbor, Calif., be rescinded, etc.

The message also announced that the House had passed the bill (S. 3740) for the control of floods on the Mississippi River and its tributaries, and for other purposes, with amendments, in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED

The message further announced that the Speaker had affixed his signature to the enrolled bill (S. 1181) authorizing an appropriation to be expended under the provisions of section 7 of the act of March 1, 1911, entitled "An act to enable any State to cooperate with any other State or States, or with the United States, for the protection of the watersheds of navigable streams, and to appoint a commission for the acquisition of lands for the purpose of conserving the navigability of navigable rivers," as amended, and it was signed by the Vice President.

PRINTING OF FLOOD CONTROL BILL

Mr. JONES subsequently said: Senate bill 3740, the flood control bill, has come from the House with quite a number of amendments. I ask unanimous consent that the bill may be printed with the House amendments numbered.

The PRESIDING OFFICER (Mr. McNARY in the chair). Without objection, it is so ordered.

CALL OF THE ROLL

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Edge	Kendrick	Sackett
Barkley	Edwards	Keyes	Schall
Bayard	Fess	King	Sheppard
Bingham	Fletcher	La Follette	Shortridge
Black	Frazier	Locher	Simmons
Blaine	George	McKellar	Smith
Blease	Gerry	McMaster	Smoot
Borah	Gillett	McNary	Steck
Bratton	Goff	Mayfield	Stephens
Brookhart	Gooding	Metcalf	Swanson
Broussard	Gould	Moses	Thomas
Bruce	Greene	Norbeck	Tydings
Capper	Hale	Norris	Tyson
Caraway	Harris	Nye	Wagner
Copeland	Harrison	Oddie	Walsh, Mass.
Couzens	Hawes	Overman	Walsh, Mont.
Curtis	Hayden	Phipps	Warren
Cutting	Heflin	Pittman	Waterman
Dale	Howell	Ransdell	Wheeler
Deneen	Johnson	Reed, Pa.	
Dill	Jones	Robinson, Ind.	

Mr. CARAWAY. I desire to announce that my colleague the senior Senator from Arkansas [Mr. ROBINSON] is detained from the Senate because of illness.

The VICE PRESIDENT. Eighty-two Senators having answered to their names, a quorum is present.

CORRECTION OF ERROR IN ENROLLMENT

The VICE PRESIDENT laid before the Senate the following concurrent resolution (H. Con. Res. 32) of the House of Representatives, which was read:

Resolved by the House of Representatives (the Senate concurring), That the action of the Speaker of the House of Representatives and the Vice President in signing the joint resolution (H. J. Res. 244) authorizing the modification of the adopted project for Oakland Harbor, Calif., be rescinded and that in the enrollment of said joint resolution the word "June" be stricken out and the word "January" be inserted in lieu thereof.

Mr. CURTIS. I ask that the Senate concur in the resolution. The concurrent resolution was considered by unanimous consent and agreed to.

MARTHA A. HAUCH

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 1368) to extend the benefits of the employees' compensation act of September 7, 1916, to Martha A. Hauch, which was to strike out all after the enacting clause and insert:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, and in full settlement against the Government, the sum of \$2,000 to Martha A. Hauch, formerly a nurse in the service of the United States Army, who contracted tuberculosis while on duty at Walter Reed General Hospital from September 16, 1922, to August 22, 1924; and that said Martha A. Hauch shall be admitted to such Army hospital as may be directed by the Surgeon General of the United States Army for necessary care and treatment.

Mr. SWANSON. I move that the Senate concur in the House amendment.

The motion was agreed to.

PETITIONS AND MEMORIALS

Mr. WARREN presented a resolution adopted by the Chamber of Commerce, of Casper, Wyo., favoring the establishment and maintenance of a mining experiment station at Laramie, Wyo., which was referred to the Committee on Mines and Mining.

He also presented a letter in the nature of a memorial from John J. Spriggs, of Lander, Wyo., remonstrating against the passage of Senate bill 1752, the so-called Oddie bill, to regulate the manufacture and sale of stamped envelopes, which was referred to the Committee on Post Offices and Post Roads.

Mr. BRUCE presented a petition of sundry citizens of Baltimore, Md., praying for the passage of legislation granting increased pensions to Civil War veterans and their widows, which was referred to the Committee on Pensions.

Mr. COPELAND presented a petition of sundry citizens of Brooklyn, N. Y., praying for the passage of legislation granting increased pensions to Civil War veterans and their widows, which was referred to the Committee on Pensions.

Mr. ASHURST presented a resolution adopted by Morgan McDermott Post, No. 7, the American Legion, of Tucson, Ariz., relative to the so-called Swing-Johnson bill, which was ordered to lie on the table and to be printed in the RECORD, as follows:

Whereas it has come to the notice of Morgan McDermott Post, No. 7, the American Legion, Tucson, Ariz., that the proponents of the Swing-Johnson bill are urging the passage of a bill to construct a dam in the Colorado River; and